1 THE PROPOSAL

1.1 This application seeks full planning permission for 64 dwellings with associated garages, amenity work and public open space on a 4.44 hectare parcel of agricultural land to the north of Wyngates and Yarmouth Road in Blofield. The 64 dwellings are proposed for a 2.45 hectare area in the southern part of the site with the remaining 1.99 hectares forming the area of public open space in the northern section of the site.

1.2 The application has been accompanied by detailed drawings of the different dwelling and garage types being proposed, the layout of the site and a series of technical reports.

1.3 The 64 dwellings comprise 62 houses and two flats in a variety of types and designs. 21 of the dwellings will be occupied as affordable housing and these will be a mixture of 1, 2 and 3 bed units located in the central and western parts of the residential element. 13 of the affordable units will be provided for affordable rent with the remaining 8 being provided as 80% of market value shared equity properties. The open market housing will contain a mixture of 2, 3 and 4 bed units in the form of terraced, semi-detached and detached houses.

1.4 It is proposed that two areas of open space will be provided in the residential element of the scheme. These will be located on the prominent corners of the site on the western side of the estate road. A larger area of public open space will be provided on the central and western part of the site.
space with an area of 2.45 hectares is proposed to the north of the residential aspect of the site.

1.5 It is proposed that the development will be served by a single vehicular access and exit point from Wyngates in its southeast corner. The road serving the estate will have a series of spurs projecting from it to serve different areas of the development but ultimately completes a loop in the northern half of the residential section.

1.6 If Members resolve to grant planning permission, this will be the subject of a Section 106 Agreement to secure the delivery of affordable housing, management of the on-site open space, contributions towards off-site recreational space, education and library provision.

1.7 The agent has advised that if planning permission is granted, it is anticipated that works would commence on site by the end of 2013 with completion by the end of 2015.

2 KEY CONSIDERATIONS

 Whether the proposed development accords with the provisions of the Development Plan and National Planning Policy Framework (NPPF).

 Whether the cumulative impact of the proposal following the decision of the Planning Inspectorate to allow Appeal Ref: APP/K2610/A/12/2177219 (Broadland District Council planning application number 20111303) for ‘a mixed use development comprising a maximum of 175 residential units, a maximum of 4,000 m² employment (Class B1) and open space at land on the north side of Yarmouth Road, Blofield would result in adverse impacts which would significantly and demonstrably outweigh the benefits. Note: the Planning Inspectorate decision referred to is attached as an appendix to this report.

 Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with some of the provisions of the Development Plan.

 Whether the application adequately demonstrates that the proposed development will not result in a detrimental impact upon highway safety; flood risk; biodiversity and landscape; the character and appearance of the surrounding area; and, the residential amenity of neighbouring properties and future occupiers of the development.

3 CONSULTATIONS

Internal Consultations
3.1 Conservation Officer (Arboriculture & Landscape):

I am happy to accept the proposal. Please request or condition that a detailed landscaping scheme is submitted for consideration / approval including positions of all hedging, trees and shrub planting etc including sizes, replacement and maintenance details etc. I am happy to accept the details submitted within the AIA from A.T. Coombes Associates dated 19 February 2013 – please condition accordingly including Section 6 Tree Management & Replacement Planting and Appendices 4, 5 and 6.

3.2 Conservation Officer (Design):

The proposed layout seems unimaginative and lacking a distinct character. The individual house types are routine designs, rather than being carefully thought out proposals suited to this particular site and their various possible locations within it. In all, the proposal clearly fails to satisfy the basic requirements of good design set out in national and local policy.

3.3 District Ecologist:

No comments received.

3.4 Environmental Health Officer (Pollution):

I have no objections to the application. However I would recommend that the noise mitigation measures in the acoustic report (and referred to in the Design and access statement) are implemented and the development constructed to comply with the following noise criteria:

- A maximum of 55 dB(A) 16 hour LAeq 07:00 - 23:00 hours within all outdoor living areas.
- A maximum of 40 dB(A) 16 hour LAeq 07:00 - 23:00 hours within indoor living areas.
- A Maximum of 35 dB(A) 8 hour LAeq 23:00 - 7:00 hours within bedrooms.

3.5 Housing Enabling Officer:

**Housing Mix and Tenure**

The proposed affordable housing provision has been discussed with Broadland District Council's housing team. The housing mix and tenure type we requested for the 21 affordable housing units was for 6 x 1 bed, 8 x 2 bed and 7 x 3 bed homes, with the following breakdown:

Affordable Rent Tenure - 13 units
Planning Committee

4 x 1 bed two person flats
2 x 1 bed two person houses
2 x 2 bed four person flats
2 x 2 bed four person houses
3 x 3 bed six person houses

Shared Equity - 8 units
4 x 2 bed four person houses
4 x 3 bed six person houses

The Design and Access Statement includes a table which suggests the developer plans to deliver: 4 x 1 bed, 10 x 2 bed and 7 x 3 bed. We would wish to challenge this amendment and would ask the developer to reinstate the mix they had previously agreed through their agent Housing Expectations.

The developer does not distinguish within the Design and Access Statement which properties are to be offered as Affordable Rent Tenure and those available for Shared Equity, the tenure mix is not addressed at all. We merely wish to note here that all the affordable rent tenure properties will need to be designed to HCA Design and Quality Standards (2007 or replacement). This is a standard requirement for the delivery of affordable rent tenure on all Section 106 sites, regardless of whether there is HCA funding or not.

The affordable housing does not appear to be integrated into the development, and is located off one spur road in the development.

Housing Provider

The application does not specify the housing provider the developer anticipates to work with. However we would expect the developer to have consulted with a Registered Provider to make sure that the design and layout of the properties meets the requirements of a Housing Association from a management perspective. It would be helpful if the developer could confirm the mix that was originally agreed for the site. If the site is granted planning permission the S106 agreement will set out that the affordable rent tenure will need to meet Design and Quality Standards.

Local Lettings Policy

The recently introduced policy of nominating a proportion of local lettings on all general needs affordable homes within development sites can be applied to this development. Up to one third of the affordable rent tenure properties could be made available to local people, following the local lettings policy with will give priority to the following:

- People who live in the parish of Blofield
• People who work in the parish of Blofield

• People who need to move to the parish of Blofield to give / receive support from / to close family

If properties cannot be allocated to households on the housing list with these connections then the properties will be allocated to meet a general district wide housing need. The Local Lettings Policy will apply to first let only.

**Note:** Following subsequent discussions between the Housing Enabling Officer and the applicant’s affordable housing agent, it was agreed that 2 x 2 bed houses would be changed to 2 x 1 bed houses and an amended plan was submitted showing this. The Housing Enabling Officer also accepted the layout and position of the affordable housing within the development and the inclusion of 3 bed 5 person units.

3.6 Pollution Control Officer:

The consultants who have produced the desk study have concluded that there is no evidence of a potentially contaminative past use. As a result there is nothing found that would require a condition to be added to require a site investigation. The consultants have suggested that surface soil testing maybe required to prove the suitability of the top soil for residential use. They have also said that gas testing may be required to demonstrate that gas protection measures are not required. As there is nothing to show that there is a need for such testing I understand that we cannot ask for it.

3.7 Recycling Officer:

Please can you consider this application for the inclusion of recycling banks? This is because there are currently no recycling banks in Blofield secured under a Section 106 Agreement that I know of. Facilities are present nearby but these can be removed at any time at the landowner’s request. With the current growth plans for Blofield, it would be good for the community to have a permanent local recycling area for items that cannot be recycled in the kerbside scheme.

If a recycling area could be incorporated in the public green area that would be ideal so it is in a communal area and slightly away from houses.

3.8 Section 106 Monitoring Officer:

The open space in the housing estate is well considered and the provision of informal open space to the north of the development is generous.
There is a deficiency of equipped play space in Blofield and given the location it is important we try and achieve at least a LEAP play space here. I would suggest on the public open space.

**External Consultations**

3.9 Anglian Water:

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the site boundary.

The foul drainage from this development is within the catchment of Whitlingham Sewage Treatment Works that at present has available capacity for these flows. The sewerage system also has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The surface water strategy / Flood Risk Assessment is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment.

3.10 Blofield Parish Council:

Following much discussion and debate the Council came to a conclusion. The Council resolved to object to the development (9 for, 0 against) on the following grounds:

- the effect of the Manor Park decision and the Inspector’s view that it sets the policy, and meets the need, for estate development in Blofield for the duration of the JCS, and
- the impact of another 64 houses in addition to the 200 approved on both the infrastructure and the character of the village.

3.11 Environment Agency:

Initially recommended refusal of the application on the basis that the submitted Flood Risk Assessment did not provide a suitable basis for assessment to be made of the flood risks arising from the development.

Following the submission of further information, the Environment Agency revised its comments and recommended the use of an appropriate condition to require the submission of a detailed surface water drainage scheme.

In its explanatory comments, the Environment Agency set out the following:
Trial pit and borehole testing has established the site as having up to 12m of clay overlying sands. Infiltration testing has established that infiltration rates render the use of shallow soakaways as being ineffective. Although, it has been stated within the FRA that deep bore soakaways may be possible where there is no direct discharge to aquifer, this does not appear to have been explored further as an option at this stage.

The FRA states that there is provision in the existing highway surface water system (to the south of the site). Email correspondence from Norfolk County Council confirms that a connection to the existing highway surface water system will be possible. The peak rate of outfall from this site shall be limited to the Greenfield runoff rate.

The proposed surface water management scheme (Drawing number 1174/DRA/001) illustrates the proposed surface water system. The driveways and non-adoptable private/shared access shall discharge via non-infiltrating and under-drained permeable paving. The roof areas shall discharge into a new piped surface water sewer system. This will be designed to accommodate the present day 1 in 1 year and 1 in 30 year rainfall events.

For events in excess of the 1 in 30 year rainfall event, up to and including the future 1 in 100 year rainfall event (incorporating the recommended allowances for the potential impacts of climate change), the proposal is for surface water to be managed using an attenuation tank/lagoon structure located within the open space to the north. The drawing indicates that this may have an area of 600m², although the required volume has not been specified (please also see section below, ‘the future 1 in 100 year rainfall event’).

We understand that there is an existing flood risk to the gardens of the existing properties to the south of the proposed development. It is proposed that this flood risk shall be alleviated through adjusting ground levels and constructing a new french drain. At the detailed design phase, sufficient detail of this element of the proposals will need to be provided to demonstrate that this will be effective and that there will be no increase in the off-site flood risk. We recommend that you also contact the Lead Local Flood Authority in order to discuss the proposals.

The proposal is for this site to drain to the existing surface water system in Wyngates, at a restricted runoff rate of 6.1l/s. This is equivalent to the existing 1 in 1 year Greenfield runoff rate.

Microdrainage calculations have been submitted based upon impermeable contributing areas as shown in drawing number 1174/DRA/002. The calculations demonstrate that the proposed 900mm diameter pipes will be adequately sized to store and convey the 1 in 30 year rainfall event.
The calculations submitted indicate no above ground flooding in either the 1 in 1 year, or the 1 in 30 year rainfall events, although surcharging of the system is anticipated to occur.

Simulation outputs indicate that in the 1 in 100 year rainfall event (incorporating an allowance of the potential impacts of climate change), there will be outages from the system at the northern end, to a maximum volume of less than 10m³. Given the proximity of this potential flooding to the area of open space, and the predicted maximum volume, we believe that this can be adequately managed, and the volume deflected using landscaping in order to prevent the risk of flooding to people and property. This information will need to be submitted at the detailed design phase.

3.12 Highways Agency:

As the application will not adversely affect the A47 trunk road in this location, the Highways Agency does not intend to issue a direction and offers no objection.

3.13 Norfolk County Council (as Highway Authority):

Additional information requested on visibility splays, radius dimensions of kerbs and sizes of car parking spaces.

Commented that the off-site highway proposals being proposed are considered to be essential to provide for the development and that conditions will be recommended to ensure these works are secured. Also commented that it is aware of the surface water drainage strategy and it is assumed that the proposed system will be approved and adopted by Anglian Water or the Drainage Authority.

The Highway Authority will look for the matters above to be resolved before recommending appropriate conditions.

3.14 Norfolk County Council Historic Environment Service:

An archaeological geophysical survey has been carried out at the proposed development site. The survey did not identify any heritage assets at the site and in this case no further archaeological work will be required. In view of this we do not wish to make any recommendations for planning conditions.

3.15 Norfolk County Council (Planning Obligations):

Request education contributions amounting to £353,086 towards primary, secondary and sixth form provision at Blofield Primary School and Thorpe St.
Andrew High School, and library contributions of £60 per dwelling in order to increase capacity at the library. Total library contribution amounts to £3,840.

To meet the requirements for Green Infrastructure and enhancements of ecological networks, the applicant is encouraged to engage with local communities and others to achieve net gains for nature and to contribute to enhancing ecological networks. Specifically, Cucumber Lane is close to the Witton Run, which is approximately 400m from the proposed development along a direct pavement link alongside Berryfields Road where it joins two public Rights of Way (PRoW) Postwick FP6 and Brundall FP2. The Witton Run valley is likely to receive greater recreational usage as a result of this development, and other local development, and this may result in increased disturbance to wildlife.

3.16 Norfolk Police Architectural Liaison Officer:

I note in the Design and Access Statement that there is a section on Secured by Design. In looking at the drawings, I can see no problems or areas which cause me concern. It is refreshing to see issues of crime and disorder addressed in the Design and Access Statement as often this element is missing.

The public open space and the open spaces within the development make the best use of the available surveillance without being too close to cause issues for the future occupants of these dwellings.

The car parking is within the curtilage of the dwellings and is served by good surveillance from the dwellings it serves.

The layout is not too permeable – there is one way in and out for vehicles and everyone is kept on view within the development.

If the dwellings reached the desired standards of ‘Secured by Design – New Homes’ then I am sure that the whole development could achieve the Secured by Design Award.

4 PUBLICITY

4.1 Site notices: 26 March 2013

Expiry date: 16 April 2013

4.2 Newspaper Advert: published 26 March 2013

Expiry date: 16 April 2013
4.3 Neighbour notification:

100 properties written to in Blofield at addresses in Doctors Road, Library Close, Manor Ridge, North Street, Plantation Road, Wyngates and Yarmouth Road.

Expiry date: 11 April 2013

5 REPRESENTATIONS

5.1 44 objections received from residents of Blofield and 1 resident of Blofield Heath on the following summarised grounds:

- With other developments being approved, this application represents a step too far. The cumulative total of the applications that have already been approved and that proposed by the current application is far in excess of the 50 or so dwellings envisaged by the JCS. Reference made by several residents to para. 6.50 of the JCS which sets out that there are more sustainable options for accommodating new housing developments in the Norwich Policy Area; consequently only a modest allocation of 50 dwellings is proposed.

- The village is too small to cope with this number of additional houses. These will affect the character of the village.

- Blofield does not have the infrastructure to support development of this scale. Village amenities are at capacity, particularly the school and doctors surgery.

- Loss of good quality agricultural land and encroachment of development into the countryside.

- The development is too dense and would be out of character with the area.

- Loss of visual amenity if field is developed.

- Loss of view.

- Loss of privacy.

- Increased noise from the development.

- Light pollution from the development.

- Increased pollution entering neighbouring properties from cars using the development.

- Adverse impact on quality of life.
- Increased traffic congestion throughout the village and at junctions to the east and west with the A47.
- Additional traffic will cause harm to highway safety, especially close to the library and school.
- Junction with A47 to east of village is dangerous. Alternative is to drive through village which will increase difficulties on The Street.
- There may be conflict between users of the road into the new estate and residents of existing properties on Wyngates, possibly resulting in accidents.
- Blofield has meagre public transport provision.
- The gifting of open space is a cynical gift as there will be no peaceful activities taking place given the proximity to the A47.
- Not aware that there is a recognised shortfall of open space in Blofield. There is extensive open space at Margaret Harker Hall.
- Open space may create more problems that it solves. It does not appear to be easily accessible, is not naturally overlooked by other properties and could lead to anti-social behaviour.
- No information has been provided on how open space will be maintained and who will manage and maintain it.
- The submitted noise assessment is inadequate.
- Concerned about increased crime.
- Water pressure is already low in Blofield. Increased development could worsen this. Also concerned at the ability of the sewerage system and electricity network to cope with the development.
- There is an existing flooding problem at the southern end of the site and the drainage solutions appear inadequate with no long term solution for their ongoing maintenance.
- Concerned about the suitability of a French drain along the southern boundary and its future maintenance.
- Attention needs to be given to wildlife within the surrounding area.
- Concerned at the prospect of subsidence given that the soil comprises of clay.
- There is a boundary dispute between residents of Wyngates and Norfolk Homes. Do not wish to see a chain link fence erected.
5.2 Representations also received from Doctors Gaskin and Ledward of Blofield Surgery:

I am writing to express our concern at Blofield Surgery regarding the multiple significant applications for new housing in Blofield. I do not think that the infrastructure of the village, including the GP surgery could cope with the additional influx of patients that would inevitably arise if these houses are built.

In recent years, our list size has risen steadily and our patient numbers have risen over 20% in the last 5 years. Much of this increase has been a result of the Little Plumstead site housing development for 300 homes, not all of which have been built. This development is no more than 1 mile from the surgery and we are easily the closest practice for this new population. We built an extension on our building just over 3 years ago as well as expanding our car park in order to cope with these additional patients but we would struggle to deal with the demands of a further significant population increase.

If the proposed substantial new housing were to go ahead, I think there would be a significant risk that the quality of service we are able to deliver to our patients would deteriorate.

6 RELEVANT POLICY GUIDANCE

6.1 National Planning Policy Framework (NPPF):

This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.

Paragraph 17 of the NPPF sets out 12 core land-use planning principles which should underpin plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and cooperation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;

encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);

conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and

take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
6.2 The Planning System: General Principles (2005):

Paragraph 10 of the Government’s advice note “The Planning System: General Principles. January 2005” emphasises that in considering applications the Development Plan should be the “starting point” and that other material considerations should be taken into account. Paragraph 7 states that “When conflicts between Plan policies arise, decisions should be taken in the light of all material considerations, including local priorities and needs, guided by relevant national policy”. Paragraph 10 states “Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision”. Paragraph 15 states “In those cases where ….. policies in the Development Plan Documents (DPDs) pull in opposite directions so that there is no clear guide for a particular proposal, the planning application (or planning appeal) should be determined on its merits in the light of all the material considerations”. Paragraph 16 states “Local planning authorities may sometimes decide to grant planning permission for development which departs from a Development Plan if other material considerations indicate that it should proceed.”

6.3 Written Ministerial Statement: Planning for Growth (March 2011):

When deciding whether to grant planning permission, Local Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. In determining planning applications, Local Planning Authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably and that they give clear reasons for their decisions.

6.4 Community Infrastructure Levy Regulations 2010 (CIL):

A Section 106 obligation can only be a reason for granting permission for the development if the obligation is: necessary to make the development acceptable in planning terms; and directly related to the development; and fairly and reasonably related in scale and kind to the development.

Joint Core Strategy for Broadland, Norwich and South Norfolk 2011:

6.5 Policy 1:

The environmental assets of the area will be protected, maintained, restored and enhanced.
6.6 Policy 2:

All development will be designed to the highest possible standards creating a strong sense of place. In particular, development proposals will respect local distinctiveness. Additionally, all residential development of 10 units or more will be evaluated against the Building for Life criteria published by CABE (or any successor to this standard).

6.7 Policy 3:

Development will where possible aim to minimise reliance on non-renewable high-carbon energy sources and maximise the use of decentralised and renewable or low-carbon energy sources and sustainable construction technologies.

To help achieve this, all development proposals of a minimum of 10 dwellings or 1,000 square metres of non-residential floorspace will be required to include sources of decentralised and renewable or low carbon energy to secure at least 10% of their energy requirement, unless demonstrated through the Design and Access Statement that there is not viable and practicable scope for this.

To ensure all housing is water efficient, new housing development must reach Code for Sustainable Homes level 4 for water.

6.8 Policy 4:

On sites for 16 dwellings or more (or over 0.6ha) the proportion of affordable housing is 33%.

6.9 Policy 6:

Seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access.

6.10 Policy 7:

All development will be expected to maintain or enhance the quality of life and the well being of communities and will promote equality and diversity, and protect and strengthen community cohesion.
6.11 Policy 8:

Existing cultural assets and leisure facilities will be maintained and enhanced. The development of new or improved facilities will be promoted.

6.12 Policy 9:

The Norwich Policy Area is the focus for major growth and development. Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across a number of locations.

6.13 Policy 12:

The remainder of the Norwich Urban Area, including the fringe parishes. Throughout the suburban area and fringe parishes opportunities will be sought to identify land to contribute towards the smaller sites allowance set out in Policy 9.

6.14 Policy 13:

The following Main Towns will accommodate additional housing (a minimum number of dwellings) – Aylsham, Diss, Harleston and Wymondham

6.15 Policy 14:

Identifies Blofield as a Key Service Centre and that land will be allocated for 50 dwellings but that it may also be considered for additional development, if necessary, to help deliver the smaller sites in the Norwich Policy Area allowance.

**Broadland District Local Plan (Replacement) 2006:**

6.16 Policy GS1:

New development will only be accommodated within the settlement limits for the Norwich fringe parishes, market towns and villages. Outside these limits, development proposals will not be permitted unless they comply with a specific allocation and/or policy of the Plan.

6.17 Policy GS3:

Sets out general considerations to be taken into account in all new development proposals, including accessibility for all, access and highway safety, residential amenity, the character and appearance of the surrounding
area, nature conservation, agricultural land, the historic environment, land
drainage, ground conditions and air quality.

6.18 Policy GS4:

New development will only be permitted where utilities, services and social
infrastructure are or can be made adequate.

6.19 Policy ENV2:

For all development proposals a high standard of layout and design will be
required with regard given to the scale, form, height, mass, density, layout,
water, energy efficiency, storage of waste, landscape, access, crime
prevention and the use of appropriate materials. This will include the
consideration of the appearance and treatment of spaces between and
around buildings and the wider setting of the development taking into account
the existing character of the surroundings.

6.20 Policy ENV3:

Developers will be expected to make adequate arrangements for future
maintenance of landscaped areas.

6.21 Policy ENV5:

Requires, where appropriate the protection and promotion of natural or semi-
natural features such as trees and hedges. Where possible, compensating
features will be required where development is allowed which would result in
the loss of important features.

6.22 Policy ENV20:

All sites of development proposals which appear to raise archaeological
issues will be subject to an evaluation of their significance.

6.23 Policy ENV23:

The availability of water resources and the effect of increased abstraction on
environmental water needs will be taken into consideration when determining
development proposals as advised by the Environment Agency.

6.24 Policy HOU1:

Identifies the Parishes where estate scale development proposals on sites not
identified for housing on the proposals map will be permitted.
6.25 Policy HOU6:

Within the settlement limits of the Norwich Fringe Parishes and Aylsham, proposals for estate-scale development will only be permitted where the overall net density of the development is a minimum of 30 dwellings per hectare. Sites well served by public transport or close to a range of existing facilities and services will be expected to be developed at overall net densities in excess of 30 dwellings per hectare.

6.26 Policy HOU7:

Residential development outside of settlement limits will not normally be given unless connected with agriculture, forestry, organised recreation or tourist facilities or the expansion of existing institutions, subject to a number of criteria.

6.27 Policy TRA2:

In the case of major developments or where the transport network is under particular stress, applicants will be required to submit a transport assessment with planning applications, demonstrating the measures proposed to deal with the travel consequences of the development. Developers will be expected to pay for all improvements that are primarily required directly as a consequence of their proposals.

6.28 Policy TRA4:

Within new developments suitable provision will be made for pedestrians, including people with disabilities, those confined to a wheelchair or others with mobility difficulties. Outside the new development site additional provision will be required, as a direct consequence of the development, linking with existing provision and improving links with local services including public transport.

6.29 Policy TRA8:

The parking provided in relation to a particular development will reflect the use, location and accessibility by non car modes as determined in the transport assessment for the development. In new developments parking and manoeuvring space will be provided in accordance with the Council’s parking guidelines, which augment the nationally applicable advice in Planning Policy Guidance Note No 13.

6.30 Policy TRA14:

Development will not be permitted where it would endanger highway safety or the satisfactory functioning of the local highway network.
6.31 Policy RL5:

The District Council will endeavour to ensure that adequate open space for outdoor playing purposes is provided within the District.

6.32 Policy RL7:

In developments of five dwellings or more, the District Council will expect developers to make provision for and provide for the future maintenance of land suitable for both formal and informal outdoor recreational pursuits.

6.33 Policy CS14:

Noise levels to be taken into account in the determination of planning applications.

6.34 The two Supplementary Planning Documents on Parking Standards and Recreational Open Space are also relevant in the determination of this planning application as are the Site Allocations Additional Sites (2012) Document and the national standard for well-designed homes and neighbourhoods – Building For Life 12 published in 2012 by the Building for Life Partnership.

6.35 The appeal decision for land to the north of Yarmouth Road for a maximum of 175 dwellings, a maximum of 4000 sq metres of employment space (Use Class B1) and informal open space is a material consideration. Outline planning permission was granted for this development on appeal on 19 March 2013 and the Inspector’s decision is attached as Appendix 1.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is to the east of the centre of Blofield and is outside of the settlement limit that has been defined for the village by the Broadland District Local Plan (Replacement).

7.2 The site has an area of 4.44 hectares and is used as arable farmland. It is bounded to the north by arable farmland with the A47 trunk road beyond further to the north. To the south on Yarmouth Road is residential development, comprising mainly mature detached houses and bungalows in varying styles. To the west is Manor Ridge – a cul-de-sac of detached and semi-detached chalets and bungalows, a tree belt at the rear of Library Close (an ongoing development of large detached houses) and the back garden of number 65 Yarmouth Road. To the east is a development of mainly detached houses known as Wyngates and arable farmland.
7.3 The site can be accessed from Wyngates in its southeast corner.

7.4 Levels vary across the site but generally decline slightly from the centre of the site towards the boundaries.

7.5 Boundary treatments comprise the following:

North – section of hedgerow and sporadic trees. Otherwise, largely open to field to north.

South (backing onto Yarmouth Road) – hedgerows, walls and fences of varying height.

East – Between 3 and 15 Wyngates – predominantly hedges but wooden and chain link fencing also present. The boundary treatment along the northern boundaries of 15 and 17 Wyngates comprises close boarded wooden fencing. The boundary with the adjacent field to east is largely open save for a section of hedgerow along the mid-section.

West – mainly hedgerow along boundaries with 65 Yarmouth Road and Library Close. Mainly wooden fencing to north of Library Close, including along Manor Ridge.

8 RELEVANT PLANNING HISTORY

8.1 881059: (1) 55 houses (2) hard tennis courts. Refused on 14 June 1988 as the site was outside of the development stop line and it was considered to represent an unacceptable extension of development into open countryside to the detriment of the visual amenities of the area. Also, the existing water supply to the site and the foul drainage treatment works serving the site were considered to be inadequate to cope with the development of any additional land not currently allocated for residential purposes.

8.2 20121746: An Environmental Impact Assessment screening opinion was issued by the Local Planning Authority on 11 January 2013 concluding that the development proposed by the current application did not require an Environmental Impact Assessment.

8.3 20130285: Erection of 1 No detached dwelling with detached garage and new vehicular access on land behind The Manor House, North Street, Blofield. Application not yet determined.
9 APPRAISAL

9.1 This application seeks full planning permission for 64 dwellings with associated garages and amenity work together with public open space on a 4.44 hectare parcel of land to the north of Wyngates in Blofield. A variety of different house types are proposed and these will occupy a 2.45 hectare area of the site along with two areas of open space. The remaining 1.99 hectare part of the site will form a larger area of public open space in the northern section of the site.

9.2 A Screening Opinion (reference 20121746) on whether the proposal would require an Environmental Impact Assessment was issued by the Local Planning Authority on 11 January 2013. It concluded that the proposed development did not require an Environmental Impact Assessment.

9.3 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan and the National Planning Policy Framework (NPPF) and whether there are any material considerations or benefits that warrant approving the application against the provisions of the development plan, whether the application contributes towards achieving sustainable development and whether the application, in addition to existing residential permissions in Blofield, would prejudice the spatial strategy and settlement hierarchy of the Joint Core Strategy (JCS).

9.4 The Development Plan for the area comprises the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (subject to the remission of parts following a legal challenge) and the saved policies of the Broadland District Local Plan (Replacement) 2006 that have not been superseded by the JCS.

9.5 The implications of the legal challenge to the JCS must be taken into account in determining this planning application. The challenge relates specifically to the part of the District within the Norwich Policy Area (NPA). The effect of the judgment has been to remit specified passages of the JCS, principally those dealing with the distribution of housing growth in the Broadland part of the NPA together with some additional consequential passages. The remainder of the JCS, including general policies such as those on design and water efficiency remain adopted and apply to Broadland, as does the settlement hierarchy which indicates the general role of particular settlements in the overall strategy. However, Members are doubtless aware that those policies that were remitted were resubmitted to the Planning Inspectorate on 4 February 2013 in advance of the Examination in Public in May 2013 and subsequent adoption. It is therefore considered that significant weight can be given to these policies.

9.6 The application site is located outside of the settlement limit that has been defined for Blofield by the Broadland District Local Plan (Replacement) 2006
and therefore there is a presumption against development proposals unless they comply with a specific allocation and/or policy of the Local Plan. The Local Plan has not allocated any sites for housing at Blofield and Policy HOU1 explains that estate scale development is to be restricted to the Norwich fringe parishes and Aylsham. Elsewhere, estate scale development will not be permitted unless identified on the Local Plan proposals map. Given the location of the site outside of a fringe parish and Aylsham and the fact that it has not been allocated for development, it does not meet with the criteria set out in Policy HOU1 of the Local Plan. However, regard must be given to the more up to date policies set out in the NPPF and JCS (both in their remitted and adopted form).

9.7 Starting with the JCS, this states that approximately 33,000 new homes will be built within the NPA by 2026 and in its remitted form, Policy 9 states that smaller sites within the NPA must contribute 2000 dwellings towards this target. This figure is a material consideration. Allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environmental and servicing considerations.

9.8 Policy 14 of the JCS identifies Blofield as a Key Service Centre and states that land will be allocated for residential development for a minimum of 50 dwellings. This amount is not in draft form and was not remitted following the decision of the High Court. The commentary to this policy explains that Blofield is a large village with a reasonable range of facilities but limited shopping and employment. It is surrounded by high quality agricultural land. Secondary education is provided at Thorpe St. Andrew some 7km away and the nearest supermarket is some 6km away (also in Thorpe St. Andrew). It is considered that there are more sustainable options for accommodating new housing developments in the NPA and consequently, only a modest draft housing allocation of approximately 50 dwellings is proposed for Blofield. However, settlements identified in Key Service Centres that are also within the NPA may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance in the NPA.

9.9 Alongside this, consideration should be given to the supply of land for housing in the NPA. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. The 2011-2012 GNDP Annual Monitoring Report explains that there is 68.3% of the required supply in the NPA, giving a shortfall of 3,431 units. Given that there is considerable shortfall in the number of units required, Policy HOU1 of the Broadland District Local Plan (Replacement) must be considered out of date. In this regard, the up to date policies of the JCS and NPPF take precedence.

9.10 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and sets out that for decision taking, this means that where the
development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

9.11 It was intended that land for housing development to meet the targets in the JCS would be identified through the Site Allocations Development Plan Document (SA DPD). The land subject of this application was submitted and consulted on as an alternative site as part of this process (as opposed to it being a shortlisted site). In allowing the appeal against the decision of Broadland District Council to refuse application 20111303 (Manor Park) for a maximum of 175 dwellings and a maximum of 4,000 sq m of B1 employment space, the Planning Inspector recognised in para 37 of his decision that allowing the appeal has effectively supplanted the role of the SA DPD in determining the future location of housing at Blofield. The Inspector also stated in para 39 of his decision that the housing component of the appeal would pre-determine decisions about the location of residential development at Blofield. Furthermore, the decision by the Planning Committee on 27 February 2013 to delegate authority to the Head of Planning to approve application 20120910 (subject to the completion of a Section 106 Agreement) has further added to the housing commitment in Blofield resulting in a cumulative approval of estate scale development of up to 197 dwellings.

9.12 The figure of 197 dwellings is nearly four times the minimum approximate housing allocation identified for Blofield in the JCS and would, using figures taken from the appeal decision (para 22), increase the population of Blofield by about 25%. The appeal decision states that the 175 dwellings ‘is on the high side for Blofield’ (para 26) and also notes that the village is one of the smaller key service centres identified in the JCS. It is therefore considered that further housing development in the village, in addition to the approval of up to 197 dwellings, would result in a housing commitment commensurate with a higher order settlement such as a Main Town (Policy 13 of JCS) and would not be suitable for this small third order settlement.

9.13 The approval of 64 further houses in Blofield would, taking account of approved housing development referred to in 9.11 above, represent a significant increase in the size of the settlement being about 5.2 times the level of 50 dwellings referred to in Policy 14 of the JCS. Development at this overall scale, it is concluded, would undermine the spatial strategy and settlement hierarchy of the JCS and would fundamentally alter the existing character of Blofield as the consequential scale and form of development would not be commensurate with the size of settlement. There is a strong argument that this in turn will stress the existing community causing social impact / effects.

9.14 In terms of local infrastructure and in particular the primary school and doctor’s surgery, representations have been received from the local community expressing concern at the adequacy of both of these key local
services to support the cumulative effects of housing proposals in Blofield. In terms of the primary school, reference is made in the appeal decision to the shortage of primary school places and that the related planning obligation included provision for payment of an education contribution to increase capacity (paras 24 and 61). In considering the outline application for up 75 dwellings at Garden Farm elsewhere in Blofield (which Committee considered and refused in April), officers contacted Norfolk County Council to ask for comments on the quantum of estate scale housing development both approved and then being proposed in Blofield (up to 350 residential units at that time) and how this might affect capacity at Blofield Primary School. In response, the Children’s Services Department commented that the primary school can be expanded to a 315 pupil school and that developer contributions from all respective housing developments in the area would be sought to expand the school in situ.

9.15 Whilst the response from the Norfolk County Council’s Children’s Services Department is noted, it is more difficult to fully understand the actual impact of relatively rapid growth upon the functioning of the school and the desire to maintain a positive learning environment. Whilst on its own this is not significant enough to justify refusal of the application, this contributes to the unsatisfactory nature of the proposal.

9.16 The response from Blofield Surgery is set out in paragraph 5.2 of this report. It is considered that this supports the argument that the scale and speed of the influx of new residents that would be caused by the development of the application site together with other consented housing sites would be too great for comfortable adjustments to made to community life. It is considered that this argument is supported by Policy 7 of the JCS which states “All development will be expected to maintain or enhance the quality of life and the well being of communities and will promote equality and diversity and protect and strengthen community cohesion”. It is considered that the proposal will be at odds with this policy.

9.17 The applicant’s agent is of the view that because of difference between the types of application that have been submitted (outline and full) and approved and likely timescales for delivery, the sites at Manor Park (175 dwellings), Yarmouth Road (22 dwellings) and Wyngates will represent a 33% increase in population over a period of at least 7 years. He considers that this speed of delivery is adequate to enable the village to gradually assimilate the new development without undue social impacts or effects.

9.18 In his appeal decision the Inspector (para 28) states that Blofield is a sustainable location for some further residential development. For the decision maker on subsequent applications for housing in Blofield this raises the question of when does some further residential development become too much residential development (and therefore unsustainable) in terms of the cumulative effects of scale, phasing and location in order to allow a period of
assimilation and to maintain a plan-led choice of settlement locations for the distribution of growth?

9.19 It is reasonable to conclude that, in the context of the current development strategy, the cumulative scale of the current proposal is premature in respect of the preparation of the SA DPD (see para 9.10 above) and that the overall scale of housing development that would result in this third order settlement would be to predetermine decisions about the scale and location of new development in other third order or higher order settlements which ought properly to be addressed in the emerging SA DPD.

9.20 The NPPF confirms that the planning system is plan-led and planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. This framework is a material consideration in planning decisions. Also material to the consideration of the current proposal is the appeal decision and the amount of estate scale housing approved in Blofield; the lack of a five year housing supply; the detailed elements of the current application, and the views exercised by members of the local community.

9.21 It is considered that approval of this application would prejudice the plan led system and in doing so the impacts associated with the proposal would be both significant and demonstrable and these would not be outweighed by any benefits in the current proposal. In this case, the cumulative effects of the proposal, if approved, in terms of decision-taking will clearly be at odds with para 17 (Core planning principles) of the NPPF (see paragraph 6.1 above).

9.22 Each application should be considered on its own individual merits but in the case of the current application before Members, the existing housing commitment in Blofield is a material consideration and it is considered that the benefits proposed do not outweigh the harm.

9.23 The Localism Act 2011 states that alongside the development plan and any other material considerations, Local Planning Authorities should have regard to any local finance considerations so far as material to the application. Members may wish to consider as a benefit the revenue that dwellings built at the site will generate from the New Homes Bonus. This acts as an incentive for new house building and Local Authorities and their communities have a degree of freedom in spending revenues gained from this.

9.24 Turning to more site specific issues, the site is relatively contained between Wyngates to the southeast and east, Yarmouth Road to the south and a combination of Library Close and Manor Ridge to the east. Developing the site would fill in the rectangular gap that exists between the properties on these roads. Given the existing agricultural use of the land, developing it for residential purposes will change its character and appearance but because of its relatively contained nature, it is considered that the impact on the
surrounding landscape and wider visual character will not be significantly detrimental.

9.25 21 different house types are proposed by the application and these vary according to size, plot size and position. The predominant materials are brick and tile and by and large, the house types appear be standard types that are used elsewhere. The residential aspect has a density of approximately 26 dwellings per hectare and, when taking account of the fairly generous plot sizes that exist at adjacent properties, this is considered to strike the right balance between using the land efficiently and taking account of the surrounding pattern of development. The Council’s Conservation Officer (Design) has commented that the layout seems unimaginative and lacking a distinct character with the house types being routine designs instead of being carefully thought out proposals suited to the site. It is difficult to disagree with this but one ought to also consider whether the layout of the site and design of the dwellings is unacceptable and the nature of the harm being caused. Given that house types vary between Wyngates, Yarmouth Road, Library Close and Manor Ridge, officers consider that it would not be possible to refuse the application on the basis of the layout and design of dwellings being of an unacceptable standard that also results in harm to the character and appearance of the area.

9.26 The proportion of affordable housing required by Policy 4 of the Joint Core Strategy for a development of this size is 33% and this percentage has been advanced by the applicants. This equates to 21 residential units – 13 of which will be available on an Affordable Rent Tenure and 8 shared equity properties. Agreement has been reached on the mix and tenure of the properties and this part of the application is acceptable.

9.27 Two areas of open space are proposed for the residential element of the application and a larger 1.99 hectare area of open space is proposed to the north of the residential element. The Design and Access Statement explains that the main area of open space could accommodate equipped play areas for under 5s and 6-12 year olds, a kick about area, grassed and landscaped meadow areas, and/or tree planting around the periphery and/or within the open space to provide a community woodland. The Design and Access also sets out that the intention is for the management and maintenance of the open space to be taken on by the District or Parish Council with a payment made to cover maintenance costs. Given the open-ended explanation given of what the open space could accommodate, further clarification was sought from the agent. In response, he explained that the public exhibition and consultations did not provide any clear guidance but that Norfolk Homes remains committed to providing the open space as a usable area for whatever reasonable purposes the local community wish. He suggested the use of an appropriate condition to require the submission of further details for subsequent approval. Officers consider this to be acceptable.
9.28 Local residents have expressed concern over the likelihood of anti-social behaviour taking place at the larger area of open space. However, the Architectural Liaison Officer at Norfolk Police commented that she could see no problems or areas which cause concern and that the public open space and the open spaces within the development make the best use of the available surveillance without being too close to cause issues for the future occupants of these dwellings.

9.29 When assessing the impact on residential amenity, it is important to consider the amenity of existing residents adjacent to the site and that of future residents of the site. In modern estate developments, there is frequently a degree of mutual overlooking between properties and this application is little different. Nevertheless, it is considered that the properties will relate acceptably to each other and that any mutual overlooking will not be significantly intrusive. Garden sizes vary according to property types but each property type has an appropriate garden / amenity area associated with it.

9.30 For existing residents of Wyngates, Manor Ridge, Library Close and numbers 67 to 77 Yarmouth Road (odd numbers only), the new dwellings along the fringes of the site will be visible and levels vary in some cases by almost 2 metres. However, it is considered that when taking account of their orientation to each other and the degree of separation, the new dwellings will not be overbearing to those properties or lead to loss of light or levels of shadow-cast that would be detrimental to residential amenity.

9.31 It is considered that any overlooking from the proposed dwellings of dwellings outside of the application site will not be significant enough to warrant refusing the application. The distance between the dwellings proposed for the eastern fringe that back on to Wyngates are all in excess of 30m from the dwellings on Wyngates. This exceeds the recommended straight line distance of 24 metres from first floor habitable windows set out in the Broadland Design Guide. Plots 1, 2, 3 and 4 (which back on to the properties on Yarmouth Road) will either have no first floor windows facing the dwellings on Yarmouth Road or will have rooflights that serve non-habitable spaces such as bathrooms or landings. The dormer window in the side elevation of Plot 5 will be screened by the garage associated with that property. The plots in the northwest corner will view the properties on Manor Ridge at an oblique angle but not to a degree that officers consider to be intrusive.

9.32 Some residents have expressed concern about noise coming from the development, perhaps in the form of the introduction of residential activity and vehicular movements to and from the site. It is inevitable that because of the change in character of the land use, patterns of activity and movement will change. However, it does not automatically follow that the introduction of residential use will be disruptive and given the type of development and layout of the site, it is not considered that the noise from vehicles will be disruptive.
9.33 Residents have commented that the proposed use of a chain link fence along existing residential boundaries is not acceptable. The agent has suggested that Norfolk Homes would be happy to consider any reasonable form of boundary treatment and would accept a condition requiring the submission and approval of such details. Officers accept this approach.

9.34 On highway matters, the Highways Agency does not consider that the application will adversely affect the A47 trunk road and so did not object. Norfolk County Council (as Highway Authority) has requested additional information on the layout of the site before recommending conditions. If further comments are available at the time of the Committee meeting, Members will be updated but this is not considered to be an issue that is critical to the officer recommendation.

9.35 A noise assessment was submitted with the application to consider noise entering the site from the A47 trunk road to the north. The Council’s Environmental Health Officer (Pollution) has not objected to the application subject to a condition being imposed that ensures that noise levels within the development do not exceed certain levels.

9.36 Local residents have set out that parts of the site are prone to flooding and given the area of the site, a Flood Risk Assessment was submitted with the application. Ultimately, the Environment Agency has not objected to the application subject to a condition being used that requires the submission of a detailed surface water drainage scheme. The Environment Agency also passed comment on the existing flood risk to the gardens of existing properties to the south of the site and the use of a French drain to deal with this. It stated that sufficient detail will need to be provided to demonstrate that this will be effective and that there will be no increase in off site flood risk.

9.37 On matters relating to water supply and the sewerage network, despite comments from members of the local community on the problems with the local network, Anglian Water has not objected to the application or suggested the use of appropriate conditions.

9.38 The Council’s Conservation Officer (Arboriculture & Landscape) is content to accept the information that has been submitted subject to the use of appropriate planning conditions to secure the submission of various items.

9.39 An ecological appraisal was submitted with the application. Four surveys were conducted as part of this appraisal and it was concluded that there is no evidence that protected species are resident at the site.

9.40 An archaeological geophysical survey was carried out and the report submitted as part of the application. This did not identify any heritage assets and accordingly no further work is required on this particular issue.
9.41 Other reasons for the local community objecting include the amount of development and Blofield not being appropriate for a development of the size being proposed, the impact on the character of the area, loss of amenity and traffic generation causing congestion within the village and at junctions with the A47 to the east and west. All of these matters have been addressed elsewhere in this report but regard must be given to the level of opposition from the Parish Council and local residents to the amount of development and lack of support for it.

9.42 The application is supported by an Energy Saving Statement which provides an overview of how improvements to the fabric, design and construction of buildings can reduce energy loss and energy demand. The approach concentrates on reducing energy demand in the first instance rather than creating more energy using renewable or low carbon technologies. This partly meets the requirements of Policy 3 of the JCS, which also sets out that developments of 10 or more dwellings will be required to include sources of decentralised and renewable or low carbon energy providing at least 10% of the scheme’s expected energy requirements. If Members were minded to approve the application, it is considered that this could be achieved by way of an appropriately worded condition.

9.43 All residential development of 10 units or more is required to be evaluated against the Building for Life criteria published by CABE (or any successor to this standard). The Building for Life criteria were updated at the end of 2012 by the Design Council. The application has performed well against the criteria set out in the guidance and officers have not seen it necessary to contact the agent following the assessment.

9.44 The application is acceptable in terms of flood risk, landscape, the character and appearance of the area, and the residential amenity of neighbouring properties and of potential future occupiers. Furthermore, the proposal would contribute to the five year housing supply deficit that exists in the NPA. However, it is considered that these benefits are greatly outweighed by the harm identified above.

9.45 If Members resolved to grant outline planning permission, the application would need to be accompanied by a Section 106 Agreement to secure planning obligations in connection to the development. This would include heads of terms to cover contributions towards and/or agreements to provide:

- Affordable housing
- Education
- Libraries
- Recreational provision and public open space (including maintenance provision).
9.46 The application is reported to Planning Committee at the discretion of the Head of Planning on the basis that it is considered to be of significant local interest.

**RECOMMENDATION:** to REFUSE outline planning permission for the following reasons:

This application has been considered against the Development Plan for the area, this being the Broadland District Local Plan (Replacement) 2006 and the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011. The National Planning Policy Framework (NPPF) is also a material consideration.

The following policies are particularly relevant to the determination of the application: GS1 and HOU1 of the Broadland District Local Plan (Replacement) and Policies 4, 7, 9, 12, 13 and 14 of the Joint Core Strategy.

The approval of up to 64 further houses in Blofield would, taking account of existing approved estate scale housing development, represent an increase in population of about 33% and would represent a significant increase in the size of the settlement being about 5.2 times the level of 50 dwellings referred to in Policy 14 of the Joint Core Strategy. It is considered that development at this overall scale would undermine the spatial strategy and settlement hierarchy of the Joint Core Strategy and would fundamentally alter the existing character of Blofield as the consequential scale and form of development would not be commensurate with the size of settlement. Therefore, the scale of development, when taking account of existing estate scale housing commitment in Blofield, is excessive and not commensurate with this Key Service Centre – a third order settlement – and is contrary to Policy 14 of the Joint Core Strategy.

The cumulative impact of development of this scale is exacerbated by the speed of delivery (the site must be deliverable if it is to contribute towards the 5 year housing supply). Such a significant influx of growth over a relatively short period of time will be difficult to assimilate into the community and is likely to lead to a disparity between the local population and local facilities and services.

It is considered that further estate scale housing development in the village, in addition to the approval of up to 197 dwellings, would result in a housing commitment commensurate with a higher order settlement such as a Main Town (defined in Policy 13 of the Joint Core Strategy) and would not be suitable for this small third order settlement.

This is turn means the proposed development is not commensurate with the social and economic needs of the settlement of Blofield which therefore renders it an unsustainable location being at odds with these two dimensions referred to in para 7 of the NPPF. Adverse impacts on these dimensions should be avoided (para 152 of
the NPPF) and the alternative option to reduce or eliminate such impacts should be allowed to take place by allowing the location of further housing growth to be plan-
ed and to be determined through the Site Allocations DPD.

The cumulative scale of the proposal is premature in respect of the preparation of the Site Allocations DPD and the overall scale of housing development that would result in this third order settlement if this proposal were to be approved the effect of this would be to predetermine decisions about the scale and location of new development in other third order or higher order settlements which ought properly to be addressed in the emerging Site Allocations DPD.

Approval of the proposal would see a disproportionate amount of the development for the district being undertaken in one area, contrary to the spatial vision of the JCS which seeks to distribute housing growth following a settlement hierarchy.

Approval of the proposal, in light of the existing quantum of estate scale housing approvals in Blofield, would undermine the very core planning principles of both plan-

making and decision taking at odds with para 17 of the NPPF.

It is considered that approval of this application would prejudice the plan-led system and in doing so the impacts associated with the proposal as outlined above would be both significant and demonstrable and these would not be outweighed by any benefits in the current proposal.

The Local Planning Authority will, where appropriate, discuss amendments to applications to secure an acceptable and sustainable form of development. However, in this instance it is not considered that the scheme could be amended to overcome the 'in principle' concerns of the Authority. The Authority has therefore acted accordingly to refuse this inappropriate development.
Appeal Decision

Inquiry opened on 11 December 2012
Site visits made on 13 December 2012

by Richard Clegg BA(Hons) DMS MRTP

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 March 2013

Appeal Ref: APP/K2610/A/12/2177219
Land on the north side of Yarmouth Road, Blofield, Norwich

• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
• The appeal is made by AGH Smith, JE Smith, RG Smith and SLA Property Company Ltd against the decision of Broadland District Council.
• The application Ref 20111303, dated 31 August 2011, was refused by notice dated 27 April 2012.
• The development proposed is described as ‘a mixed use development comprising a maximum of 175 residential units, a maximum of 4,000m² employment (class B1), and open space’.
• The inquiry sat for four days, 11-14 December 2012.

Decision

1. The appeal is allowed and planning permission is granted for a mixed use development comprising a maximum of 175 residential units, a maximum of 4,000m² of employment floorspace (class B1), and open space, on land on the north side of Yarmouth Road, Blofield, Norwich, in accordance with the terms of the application, Ref 20111303, dated 31 August 2011, subject to the conditions in the attached schedule.

Procedural matters

2. On the application form, the location of the site is given as land at Yarmouth Road, Blofield, Norwich. The site lies on the north side of Yarmouth Road, and I have identified it accordingly in the appeal details above. The main parties agreed that the proposal is more clearly described as a mixed use development comprising a maximum of 175 residential units, a maximum of 4,000m² of employment floorspace (class B1), and open space, and I have considered the appeal on this basis.

3. The planning application was submitted in outline form, with all matters of detail reserved for future consideration. Two illustrative plans were submitted with the application: the parameter plan shows a broad sub-division of the site into an employment area, open space and a residential area, and the indicative masterplan shows a possible form of layout.

4. A planning obligation in the form of an agreement was submitted at the inquiry (Document O6). Its provisions concern open space, education and library contributions, affordable housing, travel plans and bonds, and land transfers concerning the informal open space.
Main Issues

5. I consider that the main issues in this appeal are:

(i) Whether the housing component of the proposal would be appropriate and sustainable, having regard to policies for residential development.

(ii) Whether the employment floorspace component of the proposal would be appropriate and sustainable, having regard to policies for employment development.

(iii) Whether the proposal would be premature, having regard to the preparation of the Site Allocations Development Plan Document (DPD).

(iv) The effect on the living conditions of residents on the northern fringe of the development, with regard to noise mitigation measures.

(v) Whether any harm arising from the proposal would be outweighed by other considerations.

The proposal

6. The appeal site is open farmland on the western side of Blofield. It lies between Yarmouth Road to the south and the A47(T) to the north-west. The parameter plan and masterplan show an employment area on the western side of the site and housing on the eastern side, adjacent to existing residential development. Between these areas and extending between the housing and the A47(T) would be an area of open space, comprising about 2.4ha.

7. It is intended that 33% of the dwellings would be provided as affordable housing. If the maximum number of dwellings were built, this proportion would produce 58 affordable properties. To lessen the effect of noise from the A47(T), a mound between 2m and 4m in height\(^1\), and tying in with the adjacent higher land, would be formed close to part of the north-western boundary where the ground level falls towards the road. Insofar as the employment area is concerned, the intention is that this will accommodate activities of an office nature, with ancillary uses such as laboratories and other technology-related activities, low-level product storage and support services such as printing and consulting rooms. The stated aim is to create an incubator environment for new and small businesses\(^2\).

8. To the west of the site, Yarmouth Road and Cucumber Lane join the A47(T) at a roundabout junction (generally referred to as the Cucumber Roundabout). Some carriageway widening and extended two-lane entry is proposed here to increase capacity at the junction\(^3\).

Planning policies

9. At the date when the Council refused planning permission for the appeal proposal (27 April 2012), the Development Plan included the Regional Strategy (RS) - the East of England Plan. The East of England Plan was revoked on 3 January 2013, but the Order revoking the Regional Strategy was laid on 11 December 2012, and was brought to the attention of the inquiry. Whilst the

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\(^1\) At the inquiry, the Appellants’ noise witness said that the mound would be between 2.5-4m in height, whilst the illustrative drawings of the mound in Appendix1 to Mr Melin’s proof indicate a mound of about 2m in height.

\(^2\) See paragraphs 3.5 and 3.6 of Mr Allen’s proof.

\(^3\) The proposed highway works are shown on drawing ref 613456-SK08C (Document A9).
Regional Strategy is referred to in the evidence, the parties’ cases are not dependent on its provisions, and a joint note was submitted by the Council and the Appellants which acknowledged that revocation was imminent, and agreed that, during the period which it remained part of the Development Plan, the weight to be afforded its policies should be significantly reduced (Document O10).

10. The Development Plan does include the saved policies of the Broadland District Local Plan (Replacement), which was adopted in 2006. Policy GS1 seeks to guide new development to locations within the settlement limits for the Norwich Fringe Parishes, market towns and villages. Outside these limits, proposals should not be permitted unless they comply with a specific allocation and/or policy of the Plan or, in the case of villages with a defined settlement limit, they would be in accordance with an adopted parish plan. The appeal site lies outside the settlement limit defined for Blofield. Under Policy HOU1, residential estate developments on sites not identified for that purpose are permitted within the settlement limits for the Norwich Fringe Parishes and Aylsham, but not elsewhere. Employment development is also restricted outside settlements. Policy EMP6 limits such proposals to those where an overriding need for a countryside location has been demonstrated. A number of other policies of the Local Plan have also been referred to in the representations.

11. Together with Norwich City Council and South Norfolk Council, Broadland has prepared a Joint Core Strategy (JCS). The JCS was adopted in 2011, although as a result of a successful legal challenge, the content concerning the distribution of housing and associated development in the Broadland part of the Norwich Policy Area (NPA) was remitted for further consideration. Policy 1 is concerned with addressing climate change and protecting environmental assets. To these ends, development is expected, amongst other requirements, to be located and designed to use resources efficiently. Policy 4 requires the delivery of at least 36,820 new homes between 2008 and 2026, of which approximately 33,000 should be within the NPA. Affordable housing is to be sought on all developments for five or more dwellings. Whilst the proportion of affordable housing is to be based on the most up-to-date needs assessment, at the adoption of the JCS the target proportion for sites of 16 dwellings or more was 33%. In accordance with Policy 5, the local economy is to be developed in a sustainable way. The policy sets out a target of at least 27,000 additional jobs in the period 2008-2026, and sufficient employment land is to be allocated in accessible locations to meet identified need and to provide for choice.

12. Policy 9 sets out a strategy for growth in the NPA. A minimum of 21,000 dwellings are to be provided as new allocations distributed in specified locations. The distribution included 7,000-10,000 dwellings in the Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle, and 2,000 dwellings on smaller sites in the Broadland part of the NPA, but these latter two provisions of the JCS have been remitted. Policy 14 provides for the allocation of land for residential development in key service centres. The policy refers to approximately 50 dwellings in Blofield, but it also mentions that those key service centres which are within the NPA may be considered for additional

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4 The settlement limit for Blofield is shown on the plan at Appendix 7 to Mr Beaumont’s proof of evidence.
5 Paragraph 4.9 of the Local Plan defines an estate as comprising six dwellings or more.
6 The Norwich Policy Area comprises Norwich itself and certain parishes around the city in Broadland and South Norfolk. The extent of the NPA is shown on the plan at Appendix 4 of the JCS (part of Document O1).
development to help deliver the smaller sites allowance. In addition local employment opportunities are to be promoted in these settlements.

13. In August last year, proposed submission content in respect of those parts of the JCS which had been remitted was published for consultation. It was proposed that the remitted text be reinstated. The outcome of the consultation exercise was considered by the three Councils early in January 2013, when they endorsed the text of the proposed submission document. At this stage, however, the submission content does not form part of the Development Plan, and it carries less weight than the adopted part of the JCS.

14. The Council is preparing a Site Allocations DPD. Consultation exercises on possible development sites took place in 2011 and 2012. The inquiry heard that a preferred options consultation is scheduled to commence in April this year, and the DPD is expected to be adopted towards the end of 2014. Two sites at Blofield were identified as shortlisted sites in the 2011 Sites Allocations Consultation, and a further four additional sites there were included in the 2012 Alternative Sites for Potential Development consultation document (Documents O7 and O8). With the exception of a small part of the north-east corner, the appeal site is included as Blofield 1 in the 2011 consultation.

15. It is common ground between the main parties that there is not a five years supply of housing land. In the light of this situation, the Council adopted a Statement on Determination of Housing Developments Promoted in Advance of the Emerging Local Plan in 2012 (the Interim Statement). The policy statement sets out a series of considerations which it is intended should be applied to such proposals. It has not, however, been the subject of any external consultation, and consequently carries only limited weight.

**Reasons**

**Appropriateness and sustainability of the housing component**

16. In the Local Plan, Policy GS1 seeks to guide new development to locations in settlements with defined limits and to restrict it elsewhere. The appeal site abuts the western side of the settlement limit for Blofield, but it lies wholly outside it. There is no specific allocation for residential development in this location, and there is no suggestion that the proposal reflects a parish plan: it does not, therefore, come within the scope of the provisions for development beyond settlement limits under Policy GS1. The size of the housing component would categorise it as an estate development for the purposes of the Local Plan, and Policy HOU1 seeks to restrict estate development on unidentified sites to locations within the settlement limits of the Norwich Fringe Parishes and Aylsham. The development of up to 175 dwellings on the appeal site would conflict with these saved policies of the Local Plan.

17. Policies in the Local Plan were designed to meet the housing requirements of the former Structure Plan, and it is the undisputed evidence of the Appellants that these are now superseded by the provisions of the JCS. Moreover, paragraph 49 of the National Planning Policy Framework (the Framework) makes it clear that relevant policies for the supply of housing should not be considered as up-to-date if there is not a five year supply of deliverable

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7 In his proof of evidence (para 2.29), Mr Beaumont stated that the DPD was not expected to be adopted until early 2015, but at the inquiry he explained that the timetable had been brought forward.

8 This situation is agreed by the Council and the Appellants at section 7 of the main statement of common ground.
housing sites. This is the case in Broadland (above, para 15), and I agree with the view expressed by the Council at the inquiry that Policy HOU1 is not up-to-date. Both it and Policy GS1 are not fully consistent with the Framework, and consequently, in accordance with paragraph 215 therein, their provisions carry little weight.

18. The more relevant part of the Development Plan is the JCS. Policy 4 sets out an overall requirement for the provision of approximately 33,000 dwellings in the NPA during the period 2008-2026, of which 21,000 should come forward by way of additional allocations under Policy 9. The proposal would contribute to this requirement for additional housing in the NPA. Although the numbers of dwellings intended to be accommodated in the Growth Triangle and on smaller sites in the Broadland part of the NPA have been remitted from Policy 9, Policy 14 refers to the provision of approximately 50 dwellings in Blofield, together with the possibility of additional development to contribute towards meeting the small sites allowance. The introduction to the Policies for places section of the JCS establishes a settlement hierarchy of five tiers. Key service centres, which include Blofield, comprise the third tier, below the Norwich urban area (including the built-up parts of the urban fringe parishes) and the main towns. The scale of development is generally expected to decrease at each level of the hierarchy, and the justification to Policy 14 explains that there are more sustainable options than Blofield for accommodating new housing in the NPA, and that consequently only a modest allocation of approximately 50 dwellings is proposed.

19. It is common ground between the Council and the Appellants that Blofield has a range of local services. These include a general store, a post office, a primary school, a health centre, a library, a village hall and a recreation ground, which are situated between about 0.6-1km from the proposed residential part of the site, and I agree with the Appellants’ highway consultant that walking is a realistic option for such short distances. Facilities at the nearby settlement of Brundall, including shops, a primary school and a railway station are generally just over 2km away, and can be reached by cycling or by bus from the centre of Blofield. However, there is no secondary school or supermarket in Blofield, and the nearest such facilities are 6.6km and 5.8km away. In contrast, the distances from a series of possible housing sites in the urban fringe range up to 3.14km for a supermarket and up to 4.11km for a secondary school. The Council also pointed out that bus services are to Norwich are more frequent from Drayton, Taverham, Hellesdon and Thorpe St Andrew in the urban fringe than from Blofield.

20. Sites in the built-up parts of the urban fringe parishes are likely to be closer to a wider range of facilities and services and to be served by a greater variety of public transport services than would be the case at Blofield. Having regard to these considerations, such sites are more sustainable than locations at Blofield, and this is recognised in the JCS, which expects a greater level of development to take place in the Norwich urban area and the main towns than in the key service centres. Nevertheless there are two regular services between Blofield and Norwich, providing one or two buses per hour in each direction, and trains

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9 Details of facilities in Blofield and Brundall, and their distances from the appeal site are given in Appendix 7 to Mr Brown’s proof of evidence.
10 These distances, and those from the appeal site, are set out in the table at Appendix 6 to Mr Beaumont’s proof of evidence.
run from Brundall station to Norwich, Lowestoft and Great Yarmouth. I consider that there is a good range of facilities sufficiently close to the appeal site to enable walking and cycling to provide realistic alternatives to the use of the private car, and public transport services are available for journeys to and from Brundall and Norwich. Blofield is clearly a sustainable location for additional residential development, and its identification as a key service centre in the JCS, with an intended provision of at least 50 dwellings (including a possible contribution to the smaller sites allowance) bears this out.

21. It was argued by Generator Developments that the appeal site is not the most suitable and sustainable location for housing in Blofield. This view draws on the suitability scores assigned to possible housing sites in the Strategic Housing Land Availability Assessment. When ranked, the appeal site is joint third of six sites, but the details underpinning the rankings are not before me, and it is not possible to draw meaningful distinctions between sites on the basis of the suitability scores alone. Comparisons are also made with the Garden Farm site (the subject of a planning application for housing submitted by Generator): this site is not adjacent to the A47(T), and Generator argued that it is enclosed by existing development and that drainage works would be less complex. However, it is not suggested that the appeal site cannot be satisfactorily drained, and conditions can be imposed to this end. The housing development on the appeal site would be largely contained between the A47(T) and the built-up area of Blofield, and it would wrap around existing residential development to the north of Yarmouth Road. I consider that in this position the proposed housing would be well-related to the built form of Blofield, and it would not result in an awkward extension to the settlement. Whilst the layout shown on the indicative masterplan is illustrative, this arrangement for the location of the housing could be required at reserved matters stage. In any event, the exercise of detailed assessment of possible alternative sites for housing cannot take place as part of this appeal process relating to a scheme for one particular site.

22. Generator calculated that Blofield (excluding Blofield Heath) has a population of about 1,849 people within 787 households. Applying the same household size, 175 dwellings would accommodate 411 people, representing an increase of 22% in the size of the population. These figures were not disputed by the Council and the Appellants. Reference was made by Generator to a 2011 decision by the Secretary of State which dismissed an appeal concerning housing development which would have involved a 20% increase in the population of Moreton-in-Marsh, a principal settlement in Cotswold District in Gloucestershire. In this case, though, it was the cumulative effect of the appeal proposal and an existing permission, representing together an increase in population of about 40%, which it was found would have fundamentally altered the character of that settlement. Here the additional population would be markedly below the 40% level, but the proposed housing would nonetheless represent a significant increase in the size of the settlement. The construction of 175 dwellings would be 3.5 times the level of 50 dwellings referred to in Policy 14 of the JCS. As Blofield is a settlement where the principle of

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11 Details of public transport routes serving Blofield and Brundall are given in Appendix 6 to Mr Brown’s proof of evidence, and Document L2 includes summary information on bus routes from places in the urban fringe to Norwich.
12 Generator Developments are promoting residential development on another site at Blofield.
13 The ranking of possible housing sites in Blofield is in figure 2 of the planning statement accompanying the planning application for residential development on the Garden Farm site.
14 Appeal decision ref APP/F1610/A/10/2130320, Appendix 6 to Mr Churchill’s proof of evidence.
additional housing to contribute to the smaller sites allowance is acceptable, residential development at some level in excess of 50 dwellings would be consistent with the JCS approach in its policies for places.

23. Blofield Parish Council, Councillor Ward and several local residents have expressed concern about the adequacy of infrastructure. References have been made to shortcomings in the electricity supply and in the local drainage system. EdF Energy Ltd was consulted on the planning application, but no comments were submitted and, despite anecdotal remarks, there is no clear evidence that the electricity supply is inadequate. Insofar as drainage is concerned, the consultation responses from Anglian Water and the Environment Agency record that implementation of a drainage strategy would be necessary, and this is a matter which could be the subject of a condition.

24. I heard from both local residents and the County Council that there is a shortage of primary school places. The planning obligation includes provision for payment of an education contribution to increase capacity at the primary school (below, para 61). Whilst concerns have also been raised about the capacity of the surgery, doctors at the surgery simply expressed concern about the effect of the proposal on traffic movement. On the information before me, and subject to the provisions of conditions and the planning obligation, I do not consider that infrastructure in Blofield would be ill-suited to meeting the needs arising from the housing included in the appeal proposal.

25. Affordable housing is required under Policy 4 of the JCS on developments of five or more dwellings. At present the target proportion on sites of 16 or more dwellings is 33%. This level is specified in the planning obligation, and the proposal would comply with Policy 4 in this respect. Moreover, paragraph 50 of the Framework makes it clear that the provision of affordable housing contributes to the creation of sustainable, mixed and inclusive communities.

26. I have also considered the proposal in the light of the considerations in the Interim Statement. The site was short-listed as a potential development site in the Site Allocations Consultation of 2011, and in this respect accords with consideration (ii). I consider the question of prematurity elsewhere. There is no neighbourhood plan and the site has not, therefore, been identified through this process (consideration (viii)). Although the scale of development is on the high side for Blofield, which is one of the smaller key service centres, the intended position of the housing alongside the western edge of the built-up area would relate well to the existing form of the settlement. There is no clear evidence that facilities and services would be placed under undue pressure, and I do not consider that the housing component of the appeal proposal would be so large as to undermine the spatial strategy and settlement hierarchy of the JCS (consideration (i)). There is not a five years supply of housing land, and I consider below the contribution which the site would be likely to make, in accordance with consideration (iii) (para 46). The provision of affordable housing would represent a community benefit, (consideration (iv)). Although the level of affordable housing does not exceed the general requirement of 33%, consideration (v) indicates that such additional affordable housing is appropriate where there is evidence of local need. Whilst there is a need for affordable housing in Broadland generally, there are no details before me to indicate the specific position in Blofield. The Appellants have carried out local consultation (consideration (viii)), including an exhibition, a public meeting and
the publication of questionnaires\textsuperscript{15}, although the proposal has received little support from the community with most individual representations and the Parish Council opposing the scheme (considerations (iv) and (vii)). Insofar as other policy requirements are concerned (consideration (vi)), I address noise-related and highway matters elsewhere. Other matters should be able to be dealt with through reserved matters and conditions. The proposal would not fully accord with the considerations in the Planning Statement, but importantly the proposal would contribute to meeting the shortfall in the supply of housing land, and it would not undermine the approach of the JCS. In any event, the Planning Statement carries only limited weight.

27. The proposed development would conflict with Policies HOU1 and GS1 of the Local Plan concerning the location of housing proposals of estate size and restrictions on development beyond settlement limits. However, these policies are not up-to-date having regard to national planning policy in the Framework, in particular the importance of a five year housing land supply, and they carry little weight. Similarly, the informal Planning Statement has only limited weight, and whilst the proposal would not comply fully with its provisions, this does not represent a fundamental objection to the scheme.

28. The policies in the JCS are up-to-date (bearing in mind that the provisions for housing distribution in Broadland under Policy 9 are yet to be adopted), and promote a sustainable approach to growth and development. Blofield is a sustainable location for further residential development, as envisaged in Policy 14. Referring to allocations to meet the overall provision of 21,000 dwellings in the NPA, the justification to Policy 9 explains that these will reflect the scale of development provided for at each level of the settlement hierarchy, and will also reflect the form, character and services capability of each locality. Whilst the proposal would represent a significant increase in the size of Blofield, above the modest level referred to in the JCS, it would not be an unduly large scale of development at a third tier settlement. Nor would it be inappropriate having regard to the form and character of the settlement and the availability of services and infrastructure. I conclude that the housing component of the proposal would be broadly sustainable and that, overall, it would be appropriate in the context of the up-to-date policies applicable to residential development in the JCS and the Framework.

\textit{Appropriateness and sustainability of the employment component}\textbf{ }

29. Policy GS1 of the Local Plan, which seeks to restrict development outside settlement limits, applies in this case, as set out in respect of the housing component of the proposal (above, para 10). Employment development outside settlement limits is the subject of Policy EM6: under its provisions an overriding need for a countryside location must be demonstrated. There is no such requirement for B1 office uses, and it is common ground between the Council and the Appellants that the proposal conflicts with Policy EMP6. However, as with Policy HOU1 in respect of the housing component, Policy EMP6 was prepared in the context of the Structure Plan, and it does not fully reflect national planning policy in the Framework. Paragraph 28 of the Framework makes it clear that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development. More particularly, the sustainable growth and expansion of all types of business and enterprise should be supported in rural areas, and the

\textsuperscript{15} Details of the consultation are given in the Statement of Community Involvement.
Framework does not advocate a more stringent approach outside settlements. Policy EMP6 is not up-to-date, and having regard to paragraph 215 of the Framework, its weight is limited.

30. In line with the Framework, the JCS supports sustainable employment development. Whilst Policy 5 refers to economic growth in urban and rural locations, Policy 9, which applies to the NPA, emphasises employment development at strategic locations. The accompanying justification explains that office floorspace is to be principally located in Norwich City Centre, Norwich Research Park, and Broadland Business Park. There is also provision for small-scale developments associated with housing growth. For key service centres, Policy 14 refers specifically to the promotion of local employment opportunities.

31. The Appellants’ commercial property witness had reviewed commercial premises in Blofield and the nearby settlement of Brundall. Only one of a total of 87 premises, and none of the offices identified, was recorded as vacant. An assessment of ten schemes developed in the Norwich area since 2001, and with similar characteristics to the employment component of the appeal proposal, revealed a lower vacancy rate, at 9.11%, than the 12.01% recorded in June 2012 for the entire office market. That said, there was clearly small office space available of the type proposed at Blofield: the Appellants’ survey shows that just two of the schemes were fully occupied, and at the eight other developments a total of 16 units were available.

32. The work of the Appellants’ commercial property witness covers the Norwich area. A review of requirements registered with his firm revealed 19 parties seeking premises with less than 465m² floorspace. However, only two recent enquiries for accommodation from Blofield and Brundall were identified. There is nothing else before me to indicate the extent to which there may be an existing demand for employment development in Blofield.

33. It is also argued on behalf of the Appellants that, given its location on the A47(T), Blofield is well-suited to meet demand for commercial premises associated with the growth in the renewable energy sector radiating out from Great Yarmouth. Additionally, this location is noted as being appropriate for businesses serving Norfolk as a whole, particularly those in rural areas. Accommodating these latter types of occupier would be more closely aligned with a strategic function, as set out for the NPA in Policy 9. However, employment development in key service centres is intended to meet local employment opportunities, as distinct from being limited to the development of local businesses. Whilst the evidence on the demand for the type of accommodation proposed draws for the most part on a wider area than Blofield and its hinterland, the B1 units would provide an employment opportunity for local people, including those living in the new housing on the appeal site. It is estimated by the Appellants’ witness that employment floorspace of up to 4,000m² could provide 250-300 jobs. This is relatively significant given a population of 1,849 existing residents and a further 411 in the new housing. However, given its proximity, it is relevant to take Brundall into account, and the proposal would also provide a local employment opportunity for people from that settlement. The Council is concerned that the development would draw in people from further afield to work in Blofield. There could never be any

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16 A schedule of sites is in the revised version of Appendix 4 to Mr Allen’s proof of evidence, which was submitted at the inquiry (Document A6).
guarantee that this would not occur to some extent, but equally the provision of B1 accommodation should obviate the need for some journeys to work to be made out of the settlement.

34. I conclude that the employment component of the proposal would be broadly sustainable and that, overall, it would be appropriate in the context of the up-to-date policies applicable to employment development in the JCS and the Framework.

**Prematurity**

35. The Government document *The Planning System: General Principles* sets out the approach to questions of prematurity. It explains that it may be justifiable to refuse planning permission on the ground of prematurity where a DPD is being prepared if a proposal is so substantial or the cumulative effect would be so significant that granting permission would pre-determine decisions about the scale, location or phasing of new development.

36. As part of the initial work on the Site Allocations DPD, there has been consultation on possible development sites, including several at Blofield. Preferred options, however, are not scheduled to be published until later this year. I note that an appeal decision which granted outline planning permission for residential development at Rackheath\(^\text{17}\) referred to that proposal representing less than 1% of the total quantity of housing in Broadland envisaged in either the RS or the JCS, and the Inspector found that this would be insignificant in finding that the appeal should not fail on the ground of prematurity. The Appellants calculate that the maximum number of 175 dwellings proposed in the current appeal would be less than 2% of the Broadland requirement, and they suggest that this proportion would be similarly insignificant.

37. However Policy 4 of the JCS specifically provides for the distribution of new homes in accordance with the Policies for places section, and it is relevant to take account of the situation at Blofield. Policy 14 refers to approximately 50 dwellings, and this number could rise somewhat with a contribution to the small sites allowance. The maximum number of 175 dwellings would be well in excess of this level of provision, and, in consequence, it would effectively supplant the role of the DPD in determining the future location of housing at Blofield. Whilst the potential level of housing proposed would be relatively modest in respect of Broadland as a whole, and I have found that this part of the scheme would not be unduly large at a third tier settlement (above, para 28), it would not come forward as part of the plan-led approach commended in the Framework, which would provide for the detailed consideration of possible alternative sites.

38. Insofar as employment development is concerned, the JCS does not specify an intended amount for Blofield, referring instead to local employment opportunities at key service centres. I have found that the employment component of the appeal proposal would fulfil such a role, and I do not consider that it would undermine the DPD process.

39. I conclude that the housing component of the appeal proposal would be premature in respect of the preparation of the Site Allocations DPD, and that it

\(^\text{17}\) Appeal decision ref APP/K2610/A/12/2172754 dated 3 October 2012. The description of the proposal refers simply to residential development, but condition No 5 limits the number of dwellings to 80.
would pre-determine decisions about the location of residential development at Blofield.

**Living conditions**

40. The north-west boundary of the site abuts the line of the A47(T). This is a busy main road, running between Norwich and Great Yarmouth, and both the Council and the Appellants have assessed the effect of traffic noise on the residential element of the proposed development. A supplementary statement of common ground has been prepared in which the Council’s Environmental Health Officer and the Appellants’ Acoustic Consultant agreed the levels of traffic noise at the nearest dwellings on the site following the formation of a mound along the boundary. They also agreed that the proposal should aim to achieve the noise limits set out in *British Standard BS8233 – Sound insulation and noise reduction for buildings – Code of practice* applicable to reasonable resting and sleeping conditions within living rooms and bedrooms. These limits, in the $L_{AeqT}$ index, are 40dB in living rooms and 35dB in bedrooms.

41. Because of the noise from the A47(T), the proposed housing would be set back 55m from the road. Along much of the site boundary, the carriageway of the A47(T) runs at a lower level than the site, below a bank. Part way along, however, the level of the site slopes down towards the road, and it is proposed that an earth mound be formed in this section. With the mound in place, it is agreed that $L_{AeqT}$ levels at the façade of the nearest dwellings to the A47 would be 62dB during daytime and 56dB during the night. If garden areas were proposed beyond the 55dB daytime noise contour, screen fencing would secure a reduction of 7dB, and it is common ground that with this form of boundary treatment in place, $L_{AeqT16hr}$ levels would not exceed the 55dB limit sought in BS8233. Whilst the layout shown on the masterplan is only indicative, I have no reason to doubt that, should garden areas with fencing be proposed along the northern edge of the development, landscaping treatment could ensure that they would be satisfactorily assimilated into their surroundings and would not detract from the outlook of future residents. I have reached a similar view about the mound: the plans and sections show that it would reflect the height of the site boundary on each side and it would be separated from the nearest dwellings by a belt of open space.

42. Noise levels inside the nearest dwellings to the A47(T) would be reduced by the building envelope. It is agreed in the supplementary statement of common ground that thermal glazing would give a reduction of 33dB, resulting in daytime and night $L_{AeqT}$ levels of 29dB and 23dB respectively with the windows closed. These levels are well within the 40dB and 35dB limits sought in BS8233. If windows were opened, the reduction in noise levels between the outside and inside of the dwellings would be markedly less, at 10-15dB. In this situation there would be daytime and night $L_{AeqT}$ levels of 47-52dB and 41-46dB, and the BS8233 limits, designed to provide reasonable living conditions, would not be achieved. However, a mechanical system can provide an alternative to rapid ventilation through open windows, and it is proposed that a mechanical ventilation and heat recovery system would be installed within those dwellings where the BS8233 limits would not be achieved with windows open. With this system in place I do not consider that there would be a materially adverse effect on the living conditions of occupiers from windows remaining closed. From what I heard at the inquiry, I do not consider that the
ventilation system proposed would be unsightly or cause a noise nuisance itself. Nor does the evidence indicate that the elevations of dwellings closest to the A47(T) would need to be designed with restricted fenestration.

43. Conditions could be imposed to secure the noise mitigation measures proposed. I conclude that the inclusion of these measures would not result in unacceptable living conditions for future residents. In this respect the proposed development would not conflict with Policy GS3 of the Local Plan, and it would not represent an unsatisfactory form of design and conflict with the intentions of paragraphs 57 and 58 of the Framework.

**Other considerations**

**Housing land supply**

44. It is common ground between the Council and the Appellants that Broadland cannot demonstrate a five year supply of housing land, and this view is shared by Generator. The assessment included in the Greater Norwich Development Partnership’s annual monitoring report (AMR) for 2010-2011 identifies a supply of 3.28 years of housing land within the NPA for the period 2012-2017. This represents a shortfall of 3,411 dwellings. The Framework, at paragraph 47, requires the addition of a minimum buffer above the basic five year requirement to ensure choice and competition in the market for land, rising to 20% where there has been a record of persistent under delivery of housing. The addition of a 5% buffer would reduce the level of supply to 3.13 years. In the three years 2008-2011 there has been an annual shortfall of at least 34.6% in delivery, and for 2011-12 a further shortfall of 852 dwellings was expected. The AMR refers to the effects of the slow housing market and that, prior to the adoption of the JCS, local plans had previously made housing allocations on the basis of figures in the Norfolk Structure Plan, which were lower than those in the JCS. Nevertheless there has been a persistent under delivery of housing. Accordingly I have reached the view that a buffer of 20% should be applied. That gives a total requirement of housing land for 11,928 dwellings, against which the projected completions would give a supply of only 2.74 years.

45. The Appellants had also calculated figures for housing land supply for that part of the NPA in Broadland and for Broadland as a whole. Whilst the Council maintained that it was not necessary to provide separate assessments in this way, it did not dispute the figures produced. These indicate projected completions sufficient to provide 1.76 and 1.64 years of supply in the Broadland part of the NPA and Broadland as a whole. The calculation for the District as a whole is based directly on the requirement of the former RS, and as such I accord it little weight. However, the proportion of dwellings provided in the Broadland part of the NPA since 2008, assessed against the JCS requirement, has been lower than in the whole of the NPA, and, as in the NPA, a 20% buffer is appropriate. This would reduce the level of supply to 1.47 years. There is a serious shortfall of housing land in the NPA and in that part within Broadland, and this provides considerable support for the appeal proposal. I have taken into account that, in granting outline planning permission on appeal for up to 299 dwellings at East Tilbury in 2010, the Secretary of State gave only limited weight to the shortfall in housing land

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18 The calculations are set out in tables 2 and 3 within Mr Melin’s proof of evidence.
supply\(^{19}\). However, I note that housing land supply had been assessed against targets in the RS, to which the Secretary of State gave less weight following his letter of 27 May 2010 announcing the intention to abolish regional strategies.

46. Contrasting assessments of the extent to which the appeal site would contribute towards a five year land supply were provided by Generator and the Appellants. Generator argued that, because of the time required to obtain vacant possession, gain reserved matters approval, discharge conditions and undertake ground works, the construction of dwellings would not commence until 2017, and only 25 units would be likely to be produced by 2018. In contrast the Appellants' position was that the necessary approvals could be in place by 2014, with site preparation undertaken the following year. From 2015-2018, it was expected that the site would deliver 30-50 dwellings per year. I see no reason why the various matters requiring detailed approval should not be progressed simultaneously should outline planning permission be granted, and I consider that the Appellants’ assessment that the site could deliver dwellings from 2015 is more realistic than the view of Generator. At 30 dwellings, the lower end of the build-out rate envisaged by the Appellants is close to the 25 suggested by Generator, but even if development proceeded at this level, the provision of 75-90 dwellings would represent an important contribution to supply.

**Affordable housing**

47. In line with Policy 4 of the JCS, the proposal would provide 33% of the dwellings as affordable housing. Whilst this does not exceed the level which might otherwise be achieved, as envisaged by the Council’s Planning Statement (above, para 26), that document carries only limited weight. Moreover, if housing development in Blofield came forward by way of smaller schemes accommodating individually fewer than 16 dwellings the requirement for affordable housing would be proportionally less. The targets are 30% for sites with 10-15 dwellings, 20% for sites with 5-9 dwellings, and no requirement is sought below this level. The Appellants drew attention to the relatively low level of completions of affordable housing in Broadland and the GNPD area in recent years. Figures in the AMR show completions at between 21% and 34% in the GNPD area and between 16% and 27% in Broadland for the years from 2007-08 to 2010-11\(^{20}\), and point to the importance of bringing forward schemes providing affordable housing. This is matter to which I attach significant weight.

**Highway safety and traffic movement**

48. Vehicular access to both the residential and employment elements of the development would be taken from Yarmouth Road, which joins the A47(T) a short distance to the west of the site at the Cucumber Roundabout. Queuing on the approach to the roundabout has been monitored on behalf of the Appellants in 2010 and 2012. The extent of queuing fluctuates quite sharply: the December 2010 survey recorded queue lengths of between 3 and 19 vehicles on the Cucumber Lane arm in the morning around peak time, and in September 2012 queue lengths were between 1 and 15 vehicles on this arm and between 1 and 13 vehicles on the Yarmouth Road arm during the morning

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\(^{19}\) Appeal decision ref APP/M9565/A/09/2114804, Appendix 5 to Mr Churchill’s proof of evidence.

\(^{20}\) The figures are reproduced in table 4 in Mr Melin’s proof of evidence.
peak. No significant delays are reported, and this is supported by the sharp fluctuations shown in the graphs of queue length.

49. In assessing the effect of traffic generation on the highway network, trip rates from Norfolk CC were used, which give higher figures than those derived from the TRICS database. On this basis, two-way traffic movement generated by the development is predicted to be 217 vehicles in the morning peak and 202 vehicles in the evening peak, with 75% of traffic travelling through the Cucumber Roundabout. The works proposed to the roundabout (Document A9) would increase capacity at this junction, and I note that the Highway Agency is satisfied that these mitigation works would meet its requirement for nil detriment to traffic on the strategic road network. Neither the Highway Agency nor the Highway Authority object to the proposal subject to conditions concerning the implementation of the junction alterations, the introduction of a travel plan, the submission of details of roads, footways and cycleways, and a scheme to narrow Yarmouth Road and extend the 30mph limit to the eastern edge of the site.

50. The initial travel plans have targets of reducing car usage by 5-10%. Taking this into account and the effect from the use of the higher trip generation rates in preparing the alterations to the Cucumber Roundabout, the Appellants argued that the scheme would result in fewer queues than without the development. In the absence of detailed information to substantiate this claim, I accord it only limited weight. However I am satisfied that there would be no adverse effect at this point on the highway network.

51. There is concern from the Parish Council, doctors at the surgery and local residents about the prospect of congestion in Blofield, particularly along The Street, North Street and Plantation Road, where many of the local facilities are located and on-street parking occurs. There is a 20mph limit over part of this road and a relatively narrow carriageway and the presence of parked vehicles restrict traffic movement to a degree at the present time. Most traffic from the appeal site would travel to and from the A47(T) to the west of the site, and I have already found that the facilities in this part of the settlement are within walking distance of the housing proposed on the appeal site (above, para 19). In response to my question, the Appellants’ highways consultant calculated that the development would only give rise to an additional 20 vehicles on The Street and North Street at peak hours. I do not consider that this level of increase would materially alter traffic conditions in the centre of Blofield nor lead to a perceptible reduction in highway safety.

Character and appearance

52. I have addressed the scale and form of the housing proposed on the appeal site in considering the appropriateness and sustainability of this component of the development (above, paras 21 and 28). The employment units would occupy a smaller part of the overall site and they would be adjacent to an existing group of built development. The introduction of residential and employment development onto the appeal site would inevitably change its character. However, both components of the scheme relate well to the existing built form, and they are contained between the A47(T) and Yarmouth Road. The employment development and the housing would be separated by an area of open space, and there would be the opportunity to provide landscaping here and along the north-western edge of the housing. A substantial landscaping scheme in these areas would assist in assimilating the development into its...
surroundings. There is specific concern about the effect of external lighting associated with the development. At the inquiry, the Highway Authority explained that extensive street lighting should not be necessary in this location, and I have no reason to doubt that a scheme could be devised which would be appropriate in this location close to the existing settlement. I do not find that the proposed development would have a damaging effect on the character and appearance of the area.

Agricultural land

53. The appeal site comprises agricultural land identified as within grade 2, and therefore of good quality. Apart from an area of grade 3 land at the southern edge of Blofield, the settlement is surrounded by grade 1 and grade 2 land\(^\text{21}\). The JCS provides for residential and employment development at key service centres, and of the five other sites put forward for consideration for development at Blofield as part of the work on the emerging DPD, three are also grade 2 and two are partly grade 2 and partly grade 1. It is likely, therefore, that there will be some loss of good quality agricultural land at Blofield in any event, and in this situation the quality of the land forming the appeal site does not count against the proposal.

Listed building

54. Manor Farm Barn, a grade II listed building, is on the opposite side of Yarmouth Road to the appeal site. The agricultural character of the building has been diluted to a degree by its conversion to residential use, and it is close to existing housing on the northern side of the road at Brewster Court. I do not consider that the development of the appeal site would adversely affect the significance of this heritage asset, and the proposal would not conflict with paragraphs 132-134 of the Framework.

Nature conservation

55. The planning application was accompanied by an ecological assessment, which found that the site itself is of very limited ecological value. I note that Natural England concurred with the ecological assessment of the site and commented that the development has the potential to improve biodiversity through incorporating enhancement measures. The CPRE has expressed concern about the possible effect of the development on the Witton Run, which runs to the west of the site. This watercourse is separated from the appeal site by existing commercial development and some dwellings, and I do not consider that the role of The Witton Run as a wildlife corridor would be adversely affected by the proposal.

The planning obligation

56. The planning obligation would require 33% of the residential component of the development to be affordable housing, in line with the requirement in Policy 4 of the JCS.

57. Policy RL7 of the Local Plan seeks the provision of outdoor recreational space, and its future maintenance in connection with residential developments involving five or more dwellings. I agree with the main parties that it is important not only that informal open space and play areas are provided on-

\(^{21}\) A map showing the value of agricultural land around Blofield is at Document O11.
site, but that a certain financial contribution is made towards future maintenance. The amounts of these contributions for play areas and informal open space are set out in paragraphs 1 (items F-H) and 2 respectively of Schedule 2. In accordance with the Supplementary Planning Document on Recreational Open Space (SPD), the amounts payable are based on maintenance periods of 20 years. Whilst it is reasonable to expect the developer to fund the provision of recreational space and to provide for its maintenance for an initial period until funding generated by the new homes comes on-stream and to meet the costs of any replacement planting, 20 years extends into the time when I would expect the open space in question to be properly supported by the community. No clear explanation of the 20 year period was provided by the Council, and I consider that the three year period suggested by the Appellants more closely reflects the reasonable costs arising from the provision of new facilities. Paragraph 4 of Schedule 2 provides for the amounts of contributions to be amended in line with my findings. Notwithstanding this provision, however, it is not open to me as part of my decision to alter the terms of the obligation.

58. I do not agree with the Appellants that item D in paragraph 2 concerning new trees is covered by the maintenance of trees and woodland component of item A. The agreed heads of terms clearly identifies separate items for the maintenance of woodland and tree belt and for new trees within the overall open space contribution.

59. Items A-E in paragraph 1 of Schedule 2 concern the amount of the contribution towards off-site formal recreational space provision. Whilst there are existing facilities at Margaret Harker Hall in Blofield itself and also at Blofield Heath, the Council explained that there is an existing shortage of about 4ha of open space in Blofield. The addition of potentially 175 dwellings would exacerbate this shortfall. However the Council has not identified any projects for funding, and advised that it would be guided by the Parish Council in terms of the additional provision needed. In consequence, there is insufficient information before me to enable a view to be reached that the contribution towards off-site provision would be fairly and reasonably related in scale and kind to the development.

60. The obligation would provide for a library contribution of £60 per dwelling. I heard that the library in Blofield is in fairly modest premises, and has a gross floorspace of only 81m², whereas for the size of catchment the Council argued that 120m² would be appropriate. The increase in the local population resulting from the residential development would be expected to place more pressure on the library. No building project has been identified, but the County Council explained that the monies received would be committed to that library, and it is likely that they would be used to increase stock. The size of the library relative to the local population indicates that there is a shortfall in capacity, and I am satisfied that the contribution would mitigate the further pressure from additional housing development.

61. Blofield Primary School is oversubscribed, as is Hemblington School, which some children from the settlement attend. There is spare capacity at the primary school at Brundall, which is not a great distance from the appeal site. However, Blofield School could be more readily reached without reliance on a car, and it is particularly important that school journeys for young children are as straightforward as possible. I agree with the County Council that efforts should be made to ensure that sufficient space is available at the catchment
school which is Blofield Primary. There are also capacity problems at secondary school level. Although mobile units are in use, without their presence the high schools at both Thorp St Andrew and Acle would have insufficient space for the existing number of pupils. The education contribution would be used towards capital projects at the schools serving Blofield, and this is likely to include the provision of additional classroom space, improvements to toilets and changing facilities, and improvements to circulation arrangements. Although mobile units provide some classrooms at secondary schools at present, the very fact that these are not included as part of the permanent capacity indicates that they do not provide the level of accommodation sought. I consider that the range of intended measures would all relate to capacity shortages, and that there is a clear functional and geographic link between the education contribution and the development proposed.

62. Schedule 6 of the planning obligation is concerned with monitoring and review of the residential and employment travel plans. The travel plans would have an important role in promoting the use of sustainable modes of travel, and the associated travel bonds or deposits may be called in to ensure required measures are carried out. I appreciate that this places an additional cost on the developers, but pursuing implementation of the travel plans through enforcement action related to conditions or the obligation is less likely to provide as timely a remedy as direct use of the bond or deposit monies should action need to be taken. Whilst I consider that provision for the travel bonds or deposits is important in underpinning the effective delivery of the travel plans, I do not consider that it is appropriate for monitoring fees to be paid to the County Council. Such monitoring activity should not impose an undue burden on the County Council over and above its general role in providing a highways input to the development management process. Consequently, I do not consider that this element of the obligation is necessary to make the proposal acceptable.

63. I consider that all of the provisions of the planning obligation are directly related to the appeal proposal, but that the payment of monitoring fees is not necessary to make it acceptable in planning terms. Moreover the contributions for play areas and informal open space are not fairly and reasonably related to the development in scale and kind and it is uncertain whether the contribution towards off-site recreational provision would meet this test. Regulation 122 of the Community Infrastructure Levy (CIL) Regulations provides that it would be unlawful for an obligation to be taken into account in a planning decision if it does not meet all of the statutory tests. Accordingly, I have not given weight to these provisions of the planning obligation in reaching my decision on the appeal. I consider that the other provisions carry substantial weight.

64. Several of the schedules contain clauses stating that certain covenants would have no effect if I find that they do not comply with the tests in the CIL Regulations and paragraph 204 of the Framework. In similar vein, paragraphs 6 in Parts 1 and 2 of Schedule 6 specify that the covenants concerning travel plans bonds, deposits and monitoring fees shall only come into effect if I find that they comply with the CIL Regulation tests and paragraph 204 of the Framework. However, notwithstanding my findings on the provisions of the obligation, it has been executed and has legal effect.
Conditions

65. To ensure that reserved matters would be consistent with the outline proposal, upper limits for both the residential and employment components of the scheme should be specified. Progress on the housing development should be linked to the employment units, as the scheme is intended to provide a mixed-use development at Blofield. It would also be important for a phasing scheme to be approved to assist in assimilating the development into its surroundings, and for the same reason details of ground levels should be submitted for approval. Details of fire hydrants, recycling banks, walls, fences, the treatment of open space and play areas should be submitted as part of reserved matters to ensure a satisfactory standard of development.

66. To contribute to a sustainable form of development, full travel plans, water efficiency measures to comply with level 4 of the Code for Sustainable Homes and measures to secure at least 10% of energy decentralised and renewable or low-carbon energy sources should be submitted for approval. The residential component should be designed to comply with specified noise limits to safeguard the living conditions of future occupiers.

67. The south-east corner of the site has previously been used for parking, and an investigation for contamination should take place here. Potential archaeological interest has been identified, and therefore a condition would be appropriate to secure monitoring and recording. In the interest of highway safety, conditions would be necessary concerning off-site works, the extension of the 30mph speed limit on Yarmouth Road, and wheel washing facilities. Additionally, the residential development should be designed with two access points or as a loop road with an emergency access. The Appellants suggested a condition restricting the size of individual employment units to no more than 500m² of floorspace within the first five years of occupation. Whilst this would reflect the intention to create an incubator environment for new and small businesses, the appropriateness of the employment component does not depend on this arrangement, and such a condition would be unnecessary. Arrangements for construction of roads within the site should be addressed at reserved matters stage.

Conclusions

68. Although the proposed development would conflict with Policies HOU1 and GS1 of the Local Plan, these policies are not up-to-date and they carry little weight. Blofield is a sustainable location for further development, as acknowledged by its inclusion as a key service centre in the JCS. The addition of up to 175 additional dwellings would represent a significant increase in the size of Blofield, but it would not be inappropriate at this level in the settlement hierarchy. There is evidence of commercial premises being available in the wider area, but only to a limited extent in Blofield. The employment units included in the scheme would provide local employment opportunities for residents of both Blofield and Brundall, and the promotion of a mixed use development is in line with Policy 9 of the JCS and reinforces the sustainability credentials of the scheme. Overall the proposal is broadly sustainable, and appropriate in the context of up-to-date planning policies.

69. The implementation of the noise mitigation measures proposed would not result in unacceptable living conditions for future residents, and no material harm would be caused in this regard.
70. There is a serious shortfall of housing land in the NPA and in that part within Broadland. Consequently, in accordance with paragraph 49 of the Framework, relevant policies for the supply of housing should not be considered as being up-to-date. This is particularly relevant in respect of policies of the Local Plan which were prepared to meet the requirements of the former structure plan. The second part of paragraph 14 of the Framework is, therefore, engaged. Planning permission should be granted unless any adverse effects would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, or specific policies in the Framework indicate development should be restricted.

71. Whilst I do not consider that the employment component would be premature, the potential amount of housing proposed would pre-determine decisions about the location of residential development at Blofield intended to be taken as part of the Site Allocations DPD. However, I find no other material harm arising from the proposal, and no conflict with specific policies in the Framework. The development would not only make an important contribution to general housing land supply, but would provide a further benefit through adding to the stock of affordable housing. I do not consider that the adverse effect of prematurity in respect of residential development at Blofield would significantly and demonstrably outweigh these important benefits. Accordingly, for the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Richard Clegg

INSPECTOR
Schedule of conditions

1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission.

3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The details required by condition No 1 shall include the provision of fire hydrants, recycling banks, walls, fences, the treatment of open space, play areas, and, in the case of the residential development, two vehicular accesses or a loop road with an emergency access.

5) The details required by condition No 1 shall not include provision for more than 175 dwellings and 4,000m² of employment floorspace in use class B1.

6) No development shall take place until a phasing scheme for the erection of the dwellings, employment units and roads, footways and cycleways has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

7) No more than 50% of the dwellings shall be occupied until 75% of the employment floorspace has been constructed.

8) No development shall take place until details of ground and slab levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

9) No development shall take place until details of water efficiency measures to comply with level 4 of the Code for Sustainable Homes for water have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

10) Before the development begins a scheme, including a timetable for implementation, to secure at least 10% of the energy supply of the development from decentralised and renewable or low-carbon energy sources shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

11) As part of any application for reserved matters for the residential component of the scheme, details of the construction and layout of the dwellings, and of the mound adjacent to the north-western boundary, and predicted noise levels that indicate compliance with the following criteria shall be submitted to the local planning authority for approval:
• A maximum of 55dB(A) 16 hour LAeq 0700-2300 hours within all outdoor living areas.
• A maximum of 40dB(A) 16 hour LAeq 0700-2300 hours within indoor living areas with windows shut.
• A maximum of 35dB(A) 16 hour LAeq 2300-0700 hours within bedrooms with windows shut

12) Those dwellings where internal noise levels with windows open would exceed would exceed 40dB(A) 16 hour LAeq from 0700 to 2300, or where internal noise levels with windows open would exceed would exceed 35dB(A) 8 hour LAeq from 2300 to 0700, shall be fitted with a mechanical ventilation and heat recovery system prior to occupation, in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

13) None of the dwellings shall be occupied until the noise attenuation mound has been formed in accordance with the approved details.

14) No development shall take place until an investigation of the south-east corner of the site identified on the plan at Document L5 has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. Upon completion of remediation, a validation report shall be submitted to and approved by the local planning authority confirming that the site has been remediated in accordance with the approved measures and that the site is suitable for the development hereby permitted.

If, during the course of development, any contamination is found which has not been identified in the site investigation, then additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

15) No development shall take place until an archaeological investigation of those parts of the site identified in the archaeological assessment which accompanied the planning application has been undertaken in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The resultant report, including a programme for any mitigation measures, shall be submitted to and approved by the local planning authority. Any mitigation measures shall be implemented in accordance with the approved programme.

16) No development shall take place until schemes for the works at the Cucumber Lane/ Yarmouth Road/ A47(T) roundabout and for the narrowing of Yarmouth Road at the western edge of the development site have been submitted to and approved in writing by the local planning authority. The scheme for the Cucumber Lane/ Yarmouth Road/ A47(T)
roundabout shall be prepared in accordance with drawing ref 613456-SK08C.

17) None of the dwellings or employment units shall be occupied until the works at the Cucumber Lane/ Yarmouth Road/ A47(T) roundabout and for the narrowing of Yarmouth Road at the western edge of the development site have been implemented in accordance with the approved details.

18) No works shall commence on the site until a traffic regulation order to extend the 30mph limit on Yarmouth Road has been secured by the Highway Authority.

19) The residential development hereby permitted shall not be commenced until a residential travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall incorporate a programme, and shall be prepared in accordance with Norfolk CC document Guidance Notes for the Submission of Travel Plans. It shall be implemented in accordance with the programme and targets contained therein, subject to modifications agreed with the local planning authority as part of the annual review.

20) The employment development hereby permitted shall not be commenced until an employment travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall incorporate a programme, and shall be prepared in accordance with Norfolk CC document Guidance Notes for the Submission of Travel Plans. It shall be implemented in accordance with the programme and targets contained therein, subject to modifications agreed with the local planning authority as part of the annual review.

21) No development shall take place until wheel washing facilities have been provided in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The wheel washing facilities shall be retained for the duration of the construction period.

22) No development shall take place until a scheme for the provision of drainage works has been submitted to and approved in writing by the local planning authority. The scheme shall include measures for future maintenance. None of the dwellings shall be occupied until the drainage scheme has been implemented in respect of the residential part of the development. None of the employment units shall be occupied until the drainage scheme has been implemented in respect of the employment part of the development.
APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr C Skinner Solicitor with Norfolk County Council.
He called
Mr G Beaumont
BSc(Hons) MPI
Senior Planning Officer, Broadland DC.
Mr J Walchester Spatial Planning Manager, Broadland DC.
Mr S Faulkner BA(Hons) MSc
DipTP MRTPI Estates Planning Officer for Schools, Norfolk CC.
Mr J Blackwell
Principal Planner, Norfolk CC.
Mr D Higgins
Principal Engineer – Major Developments, Norfolk CC.

FOR THE APPELLANTS:

Mr J Litton QC Instructed by Howes Percival LLP, Solicitors.
He called
Mr D F Sharps CEng Sharps Acoustics LLP.
FI MechE FIOA
Mr L A Brown BSc MSc Technical Director, MLM Consulting Engineers.
MIHT MILT
Mr J Allen BA FRICS Senior Partner, Roche Chartered Surveyors.
Mr L Melin BSc DipUP Director, Beacon Planning.
MRTP MI EnvSc
Mr T Ivory Howes Percival LLP.

FOR GENERATOR DEVELOPMENTS:

Mr D Churchill MRTPI Director, Iceni Projects Ltd.

INTERESTED PERSONS:

Councillor J Cottingham Member of the District Council.
Councillor D Ward
Member of the District Council and of Blofield PC.
Councillor S Woodbridge
Member of the District Council.
BA(Hons) DipFD LMBIFD
Councillor M Tetlow Member of and representing Blofield PC.
Mr S Briggs
Local resident.
Mr T Ivory
Local resident.

THE LPA’S DOCUMENTS

L1  Table of housing completions in the Norwich Policy Area.
L2  Email dated 3 December 2012 from Mr Beaumont concerning bus services for

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22 Mr Walchester did not give formal evidence in support of the Council’s case, but provided certain information on policy matters.
23 Mr Faulkner, Mrs Blackwell and Mr Higgins did not give formal evidence in support of the Council’s case, but contributed to the session on the planning obligation. Mr Higgins also contributed to the conditions session.
24 Mr Ivory did not give formal evidence in support of the Council’s case, but contributed to the session on the planning obligation.
Blofield, Drayton, Taverham, Hellesdon and Thorp St Andrew.

L3 Infrastructure, Service and Amenity Requirements for New Development – Norfolk CC, 2012 (Replacement Appendix 2 to Mr Faulkner’s statement).

L4 Appendices to Mr Higgins’s note on travel plan performance bonds.

L5 Plan showing the area of the appeal site suggested for contamination investigation.

THE APPELLANTS’ DOCUMENTS


A2 Email dated 29 November 2012 from the Council to Iceni Projects Ltd concerning responses to the Garden Farm planning application.

A3 Consultation response from the Council’s Housing Enabling Officer to the Garden Farm planning application.

A4 Consultation response from the Environment Agency to the Garden Farm planning application.

A5 Appendices to Mr Ivory’s note concerning the planning obligation.

A6 Revised Appendix 4 to Mr Allen’s proof of evidence.

A7 Aerial photograph of Broadland and Meridian Business Parks.

A8 Additional conditions suggested by the Appellants.

A9 Revised plan of highway works at A47(T)/ Cucumber Lane roundabout.

A10 Bundle of emails and letters between the Appellants and the Council concerning noise.

A11 Extract from The Building Regulations Approved Document F1 – Means of Ventilation.

A12 Extract from Calculation of Road Traffic Noise – The Department of Transport, The Welsh Office.

OTHER DOCUMENTS

O1 Extracts from the Joint Core Strategy.

O2 Regulation 19 Publication and Sustainability Consultation in respect of the remitted parts of the Joint Core Strategy.

O3 Letter dated 22 November 2012 from Councillor S Clancy in response to the appeal.

O4 Letter dated 10 December 2012 from Mr K Simpson MP in response to the appeal.

O5 Letter dated 11 December 2012 from Mr Briggs concerning the inquiry.

O6 Planning obligation relating to the appeal proposal.

O7 Extracts from Site Allocations Consultation – Shortlisted Sites - 2011.

O8 Extracts from Site Allocations DPD – Alternative Sites for Potential Development – 2012.

O9 Lists of suggested conditions.

O10 Agreed note on behalf of the Appellants and the Council concerning the status of the East of England Plan.

O11 Plan showing agricultural land classification in the vicinity of Blofield.

O12 Email dated 4 February 2013 from the Council to the Inspectorate and associated reports concerning the proposed submission content in respect of the remitted parts of the JCS.