1 THE PROPOSAL

1.1 This an application for outline planning permission with approval sought for access only. The other matters of appearance, landscaping, layout and scale are reserved for further approval.

1.2 The application is in its amended form and proposes development of up to 75 dwellings, together with associated accesses, public open space and a community facility in the form of a LEAP (Locally Equipped Area of Play). Affordable housing provision is proposed at 40% of the total number of dwellings (30 from 75, which are 5 units more than the level required by Policy 4 of the JCS).

1.3 The residential development is proposed on land between Yarmouth Road and Lingwood Road and has a total area of about 2.6 hectares.

1.4 Revised indicative parameter and site layout plans have been submitted with the application showing a possible layout of the site with vehicular accesses from Yarmouth Road and separate footpath / cycle path and an emergency link to Lingwood Road. The proposed access arrangements include a village gateway traffic calming feature on Yarmouth which includes a new pedestrian central refuge island. The open space (about 0.225 hectares) is shown almost centrally within the site bounded by the internal estate road and private drives.
1.5 When the application was first submitted in November 2012 the proposal was for up to 105 residential units on a total area of 3.25 hectares, including affordable housing provision at 41% of the total number of dwellings (43 from 105) and 0.4 hectares of open space which could include an on-site BMX track/skate park or tennis courts. This was subsequently revised as set out in 1.2 above.

1.6 The following documents have been submitted in support of the application:
- Application plans/revised plans
- Arboricultural Report
- Archaeological Desk Based Assessment
- Comparative Assessment of Sites
- Completed application form and certificates
- Design & Access Statement
- Energy Statement
- Flood Risk Assessment
- Geophysical Survey Report
- Heritage Desk Based Assessment
- Noise Statement
- Phase 1 Habitat Survey
- Planning Statement
- Statement of Community Engagement
- Sustainability Statement
- Transport Assessment
- Utilities and Services Statement

1.7 The application has been held in abeyance pending the outcome of the Manor Park appeal, referred to in 2 below. As a consequence the agent agreed to an extension of the determination period.

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 the Appeal Ref: APP/K2610/A/12/2177219 (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 above 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 as submitted adequately demonstrates that the proposed development will not result in a detrimental impact upon highway safety; flood risk; the character and appearance of the surrounding area including heritage assets (designated / undesignated); biodiversity and landscape and the residential amenity of neighbouring properties and of potential future occupiers.

3 CONSULTATIONS

3.1 Blofield Parish Council:

After much discussion and debate the Council came to a conclusion. The Council resolved to reject this revised planning application; 75 properties are still too many. We would however like it noted that if this planning application does receive planning approval, albeit against the PC’s wishes, they would like to see:

- The land to the east of the site, (not being developed due to a reduction in the numbers of units) gifted to the PC for community use.
- Due consideration given to the privacy of the two properties adjacent to the site, Magnolias (formally Coppertops, a bungalow) and the Blofield Day Nursery, by either removing or adjusting the proximity of the proposed adjacent properties or considering bungalows along the south edge of the site.
- Bungalows on the site for vulnerable people in the community.

3.2 Cllr J Carswell (former Ward Member):

I have had a look and also been contacted by residents regarding this planning application. I still believe that residents are concerned with the position of the site, highways matters, infrastructure (impact on local school for example).

So as the district councillor I would ask that this application go to the Planning Committee if the advice from the Planning Department is to approve to plans.
3.3 Norfolk County Council (Infrastructure, Service and Amenity Requirements):

Requests education contributions towards Primary, High and Sixth Form amounting to £5,947 per dwelling (no provision sought for nursery provision) and library contributions of £60 per dwelling. 2 no fire hydrants will be required (these can be required by condition).

3.4 Environment Agency:

We refer to emails from the agent dated 4 and 6 December 2012 relating to the objection we raised to planning application 20121587.

Your email dated 4 December also included an email from Andrew Willeard at the Highways Authority dated 1 November 2012. This email confirms that they are accepting of the proposed discharge rates into their drainage network. This therefore addresses our concerns over this aspect of the scheme.

Your first email also confirms that you will be designing the permeable paving to account for a subsequent rainfall event. Your second email details that you are confident that despite the low infiltration rates the permeable paving will drain satisfactorily over the lifetime of the development and that a precautionary low infiltration rate was used in the calculations along with a factor of safety to take account of the deterioration in rates over time. You have also advised us you will ensure you design the exceedence flow paths so that should the permeable paving flood it will direct the water into the drainage network and away from the buildings. This will be detailed at the reserved matters stage.

We are therefore satisfied that sufficient information relating to the surface water scheme for an outline planning permission has been submitted. We suggest you submit your emails to Broadland District Council along with a copy of this letter as confirmation that we remove our objection. We request that Broadland include the following condition on any approval granted to ensure that further information on the detailed design of the surface water scheme is submitted at the reserved matters stage:

Condition:

In accordance with the submitted Flood Risk Assessment (prepared by Ardent Consulting, referenced N750-02 Rev A and dated October 2012) and the emails dated 4 and 6 December 2012 from Ardent Consulting to the Environment Agency, the development hereby permitted shall not be commenced until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include:
- Infiltration testing in the proposed location of the permeable paving, in accordance with BRE365.

- Sizing of the permeable paving for the 1 in 100 year rainfall event including climate change, and if the half drain time is greater than 24 hours then the paving depth shall also include an appropriate freeboard to contain a subsequent 1 in 10 year rainfall event, and the paving shall be designed using the lowest infiltration rates nearby and appropriate factors of safety.

- Calculation of greenfield runoff rates using IH124 if site cannot be drained using solely infiltration.

- Provision of sufficient attenuation storage to allow restriction of runoff to the Highways Authority pipe network to equivalent greenfield rates.

- Details of the proposed location and sizing of the proposed attenuation storage features, designed to contain the 1 in 100 year rainfall event including climate change.

- Details of who will maintain each aspect of the surface water drainage scheme for the lifetime of the development along with maintenance schedule for each aspect of the scheme.

Reason:

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with NPPF.

3.5 Norfolk County Council (Highway Authority):

Thank you for the attached drawings 12-T036-01 D & 12-T036-13, which I can confirm are as I envisaged and therefore subject to the views of a Stage 1 Safety Audit are considered to be acceptable. For reference I would expect visibility splays in a location such as this, subject to a 30mph speed limit, to measure 2.4 x 59m (or 90m if Manual for Streets is not relevant), however I note you can achieve 120m visibility in any case.

Advice from my colleagues has also suggested that there may be benefit in enhancing the existing village name sign at this location. The area is street lit, so we cannot include a 30mph repeater with the village sign. However, we could include a 'Please drive carefully' legend and village emblem if one exists.

I can confirm that the proposed off-site highway improvements and access proposals are acceptable, subject to detailed design. Therefore with reference to the application relating to development (as shown on drawing 12-2127/001 C), in relation to highways issues only, notice is hereby given that
Norfolk County Council does not object subject to the application of conditions / informatives.

3.6 Broads Authority:

No objections.

3.7 Conservation Officer (Arboriculture and Landscape):

I have no objection to the development of this site in principle however, as discussed please request that the applicant retain as much of the existing 'landscape' within any future proposed layout this should include areas of established orchards, hedgerows and trees in areas of public open space and on all boundaries – the open space on site should be designed to facilitate retention of areas of orchard – as a 'community orchard' and as a valuable existing/established natural resource and of biodiversity value. Any proposal should include details of new landscaping to demonstrate that the site can be enhanced and developed for the benefit of residents and adjacent property owners this should include landscape features with planting adjacent to roads, street, within open areas, gardens and community areas alike.

3.8 Norfolk County Council (Public Rights of Way Officer):

It is noted that there are two proposed new 'footpath' and cycle accesses from the south side of the development to join with Lingwood Road. It is assumed that these are to be adopted footways or cycleways as it would not be legally possible for public footpaths to be created and added to the Definitive Map with shared cycle use.

3.9 Norfolk County Council (Historic Environment Service):

An archaeological desk-based assessment and field evaluation (geophysical survey) have been carried out at the proposed development site. The geophysical survey identified a number of magnetic anomalies which may correspond to archaeological features. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. However, based on the evidence from the geophysical survey and desk based assessment, it is likely that in this instance any impact on the significance of the heritage assets can be effectively managed through a programme of archaeological work.

If planning permission is granted, we therefore ask that this be subject to conditions for a programme of archaeological work in accordance with National Planning Policy Framework para 135. We suggest that the following three conditions are imposed:
(A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and,

(B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A) and,

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

In this case the programme of archaeological work will commence with a targeted trial trenching evaluation to inform the nature of any archaeological mitigation work that may be required. Norfolk County Council Historic Environment Service will provide briefs for the archaeological work on request. If you have any questions or would like to discuss our recommendations, please do not hesitate to contact me.

3.10 Broadland District Council (Housing Enabling Officer):

I’ve drawn up this mix based on the maximum of 75 units and a 40% affordable ratio. 75 units x 40% = 30 affordable units.

19 Affordable Rent Tenure:

8 x 1 bed 2 person houses/flats (flats designed as houses)
5 x 2 bed 4 person houses
3 x 3 bed 6 person houses
2 x 2 bed 4 person lifetime bungalows
1 x 4 bed house
11 Intermediate Tenures

Shared Ownership or discounted market housing (80% of open market value secured in perpetuity). A mix of 2 and 3 bedroom houses depending on requirements of Registered Providers / developers.

3.11 Broadland District Council (Conservation Officer – Design):

I note that the only matter for determination is access. I have no objection in principle, but the draft layouts still cause precisely the concerns I have raised previously, that is, it's still very much “pair of houses, driveways, pair of houses, driveways, pair of houses, driveways” and as such does not conform to the NPPF requirements on raising design quality, etc.

3.12 Natural England:

Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of the application.

3.13 Norfolk Constabulary (Force Crime Prevention Coordinator):

The proposal is only an indicative layout but it does seem to encompass some of the principles of Crime Prevention through environmental design. There is defensible space for the dwellings. There are no proposals for parking courts which cause concern. The permeable routes for pedestrians out of the development are covered well by surveillance and there is a purpose to them being there.

3.14 Norfolk Constabulary (Community Infrastructure):

The scale of development proposed is anticipated to require financial contributions towards delivering Police services to address community safety tackle the fear of crime and seek to achieve a reduction in crime.

The Norfolk Constabulary is currently obtaining information/guidance from each of the District Commanders and Local Delivery Inspectors for Policing Impact. This will include details in respect of any impact arising from this particular development.

While this information is being collated, I would be grateful if you would treat this letter as a holding objection to the application.

3.15 Highways Agency:
The trips which would be generated by the proposed development are low in number and unlikely to affect the safety and operation of the A47 trunk road. Therefore, the Highways Agency raises no objection.

3.16 Norfolk County Council (Minerals and Waste Policy):

No objections.

3.17 Broadland District Council (Pollution Control Officer):

Having read the site investigation there have been no potential contamination sources identified either on or close to the site. Based on the findings of the report and there being no known or potential contamination sources known to the Council in the area I can see no reason to require any further assessment work.

4 PUBLICITY

4.1 Site notice:

Expired: 4 December 2012

4.2 Press notices:

Expired: 4 and 10 December 2012

4.3 Neighbour notification:

301 properties consulted at addresses on Braydeston Drive; Chamberlin Court; Church Road; Danesbower Close; Danesbower Lane; Fox Lane; Hunters Close; Langham Green; Lingwood Road; Manor Ridge; Nursery Gardens; Pound Lane; Shillito Road; The Chase; The Street; Yarmouth Road; and Wyngates.

Latest expiry date: 12 February 2013

5 REPRESENTATIONS

5.1 85 letters / emails from local residents objecting to the proposal:

- The scale of development is far too large
- Manor Park was rejected by the District Council as being too large a development for the village
• The affects of traffic movements would be intolerable, particularly in The Street / North Street

• The school is at capacity and cannot cope with additional children and has little room for expansion

• The site is outside of the settlement limit and involves the loss of actively used agricultural land and necessitates tree removal

• Developments in Blofield should be small scale

• Access points onto the A47 are slow moving with long queues at peak times

• The village infrastructure and road system is totally inadequate for large scale development

• The scale of development would be out of proportion with the village and the existing village character will be lost

• Loss of current view and overlooking

• This will have a negative impact on residents especially with crime

• A possible BMX track will not solve the communities problems and may only create more

• The local Doctors Surgery is already full

• This flies in the face of village consultation which accepted small groups of development for the village not large estates

• Increased risk of flooding

• Existing lack of open space and recreational facilities

• This will ruin the concept of village structure and life

• This is not in accordance with the Joint Core Strategy and settlement hierarchy for housing

• What happened to localism and democracy?

• With new development there needs to be provided supporting infrastructure

• Drains and sewers are inadequate

• Public transport runs for only part of the day and you must have a car to live in Blofield given the limited bus service

• Blofield is not such a sustainable location that it can support such large scale growth
• There will be considerable noise and light pollution

• All these applications for housing development should be considered together to provide strategic approach to housing and not determined piecemeal

• Loss of property value

• Loss of ecological habitat

• The loss of the BMX track is not mourned but the removal of additional recreation space is deplored

• With the granting of the Manor Park appeal the village does not have sufficient facilities and infrastructure to facilitate these further large scale developments.

5.2 3 letters / emails of support from local residents / businesses:

• Local facilities for schooling and doctors need to be resolved but overall the proposal has much merit and should be supported.

• This is the most appropriate site for much needed additional housing however the layout needs to take account of the new children’s day nursery alongside Fox Lane to avoid overlooking or sensitive areas.

5.3 Drs Gaskin & Ledward – Blofield Surgery:

We write to express our concern at Blofield Surgery regarding the multiple significant planning applications for new housing in Blofield. We 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 are 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 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 we 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

National Planning Policy Framework (NPPF):

6.1 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 [underlining below is officers’ emphasis to help guide Members]:

- 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.

The Planning System: General Principles (2005):

6.2 Paragraph 10 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 Document (DPD)’s 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
Planning Committee

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.” Finally, paragraph 17 advises that “In some circumstances” it may be justifiable to refuse planning permission on grounds of prematurity where a new DPD is being produced but is not yet adopted. Further guidance is that “this may be appropriate where a proposed development is so substantial or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD”.

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 floor space 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 target 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:

Requires development 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:

Aims to maintain and enhance existing leisure facilities.

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.

6.16 Policy 15:

In each Service Village land will be allocated for small-scale housing development subject to form and character considerations. Small-scale employment or service development appropriate to the scale and needs of the village and its immediate surroundings will be encouraged. Existing local shops and services will be protected.

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

6.17 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.

6.18 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.

6.19 Policy GS4:
New development will only be permitted where utilities, services and social infrastructure are or can be made adequate.

6.20 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.

6.21 Policy ENV3:

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

6.22 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.

6.23 Policy ENV14:

Development which would detract from the setting of a listed building will not be permitted.

6.24 Policy ENV20:

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

6.25 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.

6.26 Policy HOU1:
Identifies, within settlement limits, the parishes where estate scale development proposals on sites not identified for housing on the proposals map will be permitted.

6.27 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. Elsewhere the Council will still look to make efficient use of development land, but the form and character of the surrounding area will be a major determinant in the form of new development.

6.28 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.

6.29 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.

6.30 Policy TRA5:

Within new developments safe and coherent provision will be made for cyclists, including secure cycle parking and where appropriate, showers and changing facilities. 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.

6.31 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.

6.32 Policy TRA14:
Development will not be permitted where it would endanger highway safety or the satisfactory functioning of the local highway network.

6.33 Policy RL5:

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

6.34 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.

6.35 Policy CS3 – Development and Ground Water Resources:

Development will not be permitted within areas around potable ground water sources or over areas of vulnerable aquifers, which poses a risk to the quality of underlying ground water.

6.36 Policy CS12:

Only permits development that will not result in an adverse environmental impact. Where there is a risk of pollution appropriate pollution control and prevention measures will be required.

6.37 Policy CS14:

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

6.38 The two Supplementary Planning Documents on Parking Standards and Recreational Open Space are also relevant in the determination of this planning application as is the national standard for well-designed homes and neighbourhoods – Building For Life 12 published in 2012 by the Building for Life Partnership

6.39 Site Allocations Additional Sites (2012) Document is a material planning consideration in the determination of this application.
7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is located on the eastern side of the village 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 is roughly rectangular in nature and has an area of 2.6 hectares. It is accessed currently from adjoining land to the east and a gated access from Lingwood Road and is in agricultural/horticultural use. Levels fall generally from north (Yarmouth Road) to south (Lingwood Road).

7.3 The site is bound to the north by a line of alder trees set behind a grass verge on the south side of Yarmouth Road. There are residential properties opposite including Turret House, 89 Yarmouth Road, a grade II listed building.

7.4 To the west a hedgerow boundary separates the site from Hobsons, a detached house in the south western corner that runs a children’s day nursery from the site and which also has an extant planning permission for the construction of a new single storey children’s day nursery building to the rear of Hobsons between Fox Lane and the application site.

7.5 The site is bound to the south by an alder hedge behind a narrow grass bank on the north side of Lingwood Road.

7.6 To the south east the site adjoins the boundaries of two residential dwellings known as ‘Magnolia’s’ (formerly Coppertops) and ‘Enham’ Lingwood Road. Their boundaries with the site are defined by close board fencing and some hedging. North of these properties, the site extends into a current open field and further north the site adjoins an existing hedged and palisade fenced boundary with Blofield Garden Centre and Norwich Camping & Leisure, 58 Yarmouth Road.

8 PLANNING HISTORY

8.1 20130296: Erection of 64 dwellings with associated garages and amenity work, together with public open space. Land off Wyngates, Blofield. Not yet determined.

8.2 20121572: Screening opinion for erection of 105 dwellings and community facilities, Garden Farm, Land to the South of Yarmouth Road and North of Lingwood Road, Blofield. Not EIA Development 29 November 2012.

8.3 20121420: Residential development (outline). Land north of Blofield Surgery, Plantation Road, Blofield. Not yet determined.
8.4 20120910: Erection of 22 dwellings (9 affordable & 13 open market). Land adj 20 Yarmouth Road, Blofield. Resolution to approve 27 February 2013 subject to completion of a S106 Legal Agreement.

8.5 20111303: Mixed use development comprising a maximum of 175 residential units, a maximum of 4,000m² employment (Class B1) and open space. Land on the north side of Yarmouth Road, Blofield. Refused 27 April 2012. Allowed on appeal 19 March 2013.

9 APPRAISAL

9.1 The application seeks outline planning permission for up to 75 dwellings, together with associated accesses, public open space and a community facility in the form of a LEAP (Locally Equipped Area of Play). Approval is sought for access only; the other matters of appearance; landscaping, layout and scale are reserved for further approval.

9.2 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 JCS.

9.3 The Development Plan for the area comprises the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) (JCS) (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.

9.4 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, water efficiency etc 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 to be held in May 2013. It is therefore considered that significant weight can be given to these policies.
9.5 The application site lies outside of the settlement limit that has been defined for Blofield 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 will 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. It follows then that this proposal is contrary to Policy HOU1 of the Local Plan. However, regard must be given to the more up to date policies set out in the NPPF and the JCS (both in their remitted and adopted form).

9.6 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 2,000 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.

9.7 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 7 km away and the nearest supermarket is some 6 km away. It is considered that there are more sustainable options for accommodating new housing developments in the NPA. Consequently, a modest draft housing allocation of approximately 50 dwellings is proposed for Blofield in comparison to other Key Service Centres. However, settlements identified as 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.

9.8 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 the NPPF take precedence.
9.9 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.

9.10 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 (SADPD). The land subject of this application was shortlisted as part of this process. The decision by the Planning Inspectorate to allow the appeal against the decision of Broadland District Council to refuse application 20111303 (Manor Park) has effectively supplanted the role of the SADPD in determining the future location of housing at Blofield by approving up to 175 dwellings (para 37 of appeal decision). The Inspector goes on to state 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 (27 February 2013) to delegate authority to the Head of Planning to approve application 20120910 (subject to the completion of a S106 Agreement) has further added to the housing commitment in Blofield resulting in a cumulative approval of estate scale development of up to 197 dwellings.

9.11 The figure of 197 dwellings is nearly 4 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.

9.12 The approval of up to 75 further houses in Blofield would, taking account of approved housing development referred to in 9.11 above, represent an increase in population of about 34.5% and would represent a significant increase in the size of the settlement being about 5.9 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.

9.13 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. Matters relating to the doctors surgery have been dealt with below. 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 (para’s 24 and 61). In response to the appeal decision and the quantum of estate scale housing development both approved and currently proposed in Blofield (up to 350 residential units), Norfolk County Council were asked to comment on Blofield primary school capacity given the current and potential future situation(s). In reply, the Children’s Services Department has commented that there is a prima facie case that the primary school can be expanded to a 315 pupil school and that developer contributions from all respective housing development in the area would be sought to expand the school in situ.

9.14 Whilst the objective response from the Norfolk 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.

9.15 The scale and speed of the influx of new residents that would consequently be caused by the development of the Garden Farm site together with other consented housing sites would be too great for comfortable adjustments to made to community life, this is in part evidenced in the comments expressed by GPs at Blofield Surgery. This is considered to be a cogent argument 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.

9.16 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 fundamental question: 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?"

9.17 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 SADPD (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 SADPD.

9.18 The planning system is plan-led. Planning law requires that applications for planning permission must 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 comprising the proposed development at Garden Farm including affordable housing in excess of the level required by policy and provision of public open space and a community play facility; and the views exercised by the local community including residents, the Parish Council and Blofield Surgery.

9.19 It is considered that approval of the Garden Farm proposal 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. 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).

9.20 There are currently two other estate scale planning applications for residential development before the Council and which are undetermined at this time:

- 20121420: Residential Development (Outline). Land North of Blofield Surgery, Plantation Road, Blofield. An Illustrative layout shows 14 dwellings.

- 20130296, Land off Wyngates, Blofield. This is a full application for residential development of 64 dwellings with associated garages and amenity work, together with public open space.

Each application should be considered on its individual merits but in the case of the current application before Members it is considered that the principle of further estate scale housing development in Blofield is unacceptable as the benefits do not outweigh the harm.

9.21 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.
9.22 The application is in outline with all matters reserved except for access. The site is contained between Yarmouth Road and Lingwood Road and development of the site would extend the depth of built-up area of Blofield further eastwards. Currently there is development to the north and south of the Garden Farm site and there exists the Blofield Garden Centre and Norwich Camping & Leisure complex to the east. Given the nature of the existing land use, the proposed residential use of the site will change the character and appearance of this immediate area but given the relatively contained nature of the site it is not considered that the proposal would have a significantly detrimental effect in so far as it relates to the visual character of the area.

9.23 In terms of the appropriateness or otherwise of the scale and form of the proposed housing development on the character of the area this has been addressed elsewhere above.

9.24 The closest residential properties to the site are those on the north side of Lingwood Road. Comment has been expressed about the relationship of the proposed dwellings with existing development (both residential and children’s day nursery). Whilst noting these comments, the layout is illustrative and in working up subsequent reserved matters in relation to scale, layout and form, it is considered that the most sensitive areas of overlooking could be dealt with adequately through detailed components of the scheme. In relation to other dwellings and given the likely degree of separation to other dwellings it is not considered that the residential development of the site, subject to appropriate consideration of scale at reserved matters stage, would be significantly harmful to residential amenity.

9.25 Turning to the residential amenity of properties within the application site, the dwellings and plots vary in size and orientation and there are no incidents of direct and intrusive overlooking. Garden sizes varying according to dwelling type and are adequate and reflective of the locality. The Norfolk Constabulary (Force Crime Prevention Coordinator) considers the development to be acceptable from a crime prevention point of view.

9.26 On strategic highway matters, ie the A47 trunk road, the Highways Agency does not object to the development and does not require mitigating works. In light of the appeal decision, the Highways Agency was asked about the cumulative strategic highway effects of the approved and currently undetermined housing proposals in Blofield. Whilst acknowledging that collectively the numbers may appear to be sufficient to require mitigation, the Highways Agency considers that the locations of the various developments are such that resultant traffic is likely to be distributed over the available network across various access/egress points and thus have a smaller impact and which is unlikely to require mitigation.

9.27 On local highway matters, Norfolk County Council does not object to the development subject to conditions. The site would be accessed by an estate
road onto Yarmouth Road including a central pedestrian refuge island and pedestrian/cycle/emergency access links to Lingwood Road. The site would have reasonably good permeability and connections with existing development. In light of the appeal decision, the County Council was also asked about the cumulative local highway effects of the approved and currently undetermined housing proposals in Blofield. Whilst acknowledging that roads would bet busier, the County Council does not consider that the cumulative impacts would result in serious traffic impacts.

9.28 The site is more than 1 hectare in size and has therefore been subject to an assessment of flood risk. Following clarification of matters between the applicants and the Environment Agency, the EA has confirmed that they remove their objection and recommend an appropriate condition be added to any permission granted relating to a surface water drainage scheme.

9.29 The illustrative layout demonstrates that the site can provide public open space in compliance with adopted standards / policy including a Locally Equipped Area of Play (LEAP). This provides for an internal focal point to the development and would benefit from good natural surveillance.

9.30 In terms of natural and semi-natural features, a mixture of trees and hedges bound the site with some fruit trees internal to the site. New points of vehicular and pedestrian access will require new openings being made within the southern and northern landscape features; however, it is not considered that the loss of these features would be unacceptable. The fruit trees will be removed. Landscaping of the site would form part of any subsequent reserved matters application if this current proposal were approved.

9.31 No comments have been received from the District Ecologist but the submitted Ecology Report identifies no significant constraints on development and standing advice from Natural England advises that the findings of the report should be accepted. Details to enhance the ecology of the site in accordance with the NPPF can be secured by condition.

9.32 The land has historically been used for farming and the proposed use is considered to be more sensitive in pollution control terms. However, with regard to the submitted information regarding the past use of the site, the Council's Pollution Control Officer has advised no further information / assessment work is required.

9.33 Based on currently available information any impact on the significance of on-site heritage assets can be effectively managed through a programme of archaeological work secured by condition.

9.34 In terms of off-site heritage assets, Turret House, 89 Yarmouth Road is a grade II listed building that is located directly north of the site on the opposite side of Yarmouth Road. Given the degree of separation and intervening
Planning Committee

landscape features it is not considered that the proposed development would have a harmful impact upon the setting of the listed building in terms of how it is currently viewed and would be viewed post development (if approved).

9.35 In terms of energy and water, information has been submitted by the applicant confirming that the development will be designed and constructed to comply with JCS Policy 3 for 10% of the site’s expected energy requirements to be met by renewable or low carbon energy sources utilising a mixture of fabric first and appropriate technologies. All dwellings will achieve Code for Sustainable Homes level 4 for water. Compliance with these requirements would be made mandatory by appropriate conditions.

9.36 The proximity of the site to the A47 is such that road noise is not a determining factor in relation to this proposal.

9.37 The application is therefore acceptable in terms of highway safety; flood risk; the character and appearance of the area; biodiversity and landscape and the residential amenity of neighbouring properties and of potential future occupiers. Furthermore, the proposal would contribute to the five year housing supply deficit and provide affordable housing in excess of the level required by the JCS. However, it is considered that these benefits are greatly outweighed by the harm identified above.

9.38 If Members resolve to grant planning permission, the application will need to be accompanied by a Section 106 Agreement to secure planning obligations in connection with the development. These obligations would cover such matters as the provision of affordable housing at the level proposed; the payment of open / play space costs; and County Council Education and Library contributions.

9.39 The application is reported to Planning Committee given the issues raised.

RECOMMENDATION: REFUSE 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 (BDLP) and the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (JCS). 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 BDLP and 4, 7, 9, 12, 13 and 14 of the JCS.

The approval of up to 75 further houses in Blofield would, taking account of existing approved estate scale housing development, represent an increase in population of
about 34.5% and would represent a significant increase in the size of the settlement being about 5.9 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. Therefore, the scale of development, when taking account of existing estate scale housing commitment in Blofield is excessive and not commensurate with this third order settlement, contrary to Policy 14 of the JCS.

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 very difficult to assimilate into the community and is likely to lead to a disparity between the local population and local facilities, services and jobs.

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 (Policy 13 of the JCS) 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 planned 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 planning and decision making and decision at odds with para 17 of the NPPF.

It is considered that approval of the Garden Farm proposal would prejudice the planned 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 MRTPI
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 4,000m$^2$ 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 4,000m$^2$ 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 4,000m$^2$ 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

---

\(^1\) 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\(^4\). Under Policy HOU1,
residential estate developments\(^5\) 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)\(^6\) 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

\(^4\) 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\(^7\). 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\(^8\). 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...
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

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\textsuperscript{11}. 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\textsuperscript{12} 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\textsuperscript{13}, 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\textsuperscript{14}. 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

\textsuperscript{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.

\textsuperscript{12} Generator Developments are promoting residential development on another site at Blofield.

\textsuperscript{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.

\textsuperscript{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 some 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.

\textbf{Appropriateness and sustainability of the employment component}

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 465m$^2$ 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 4,000m$^2$ 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

\(^{16}\) 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 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

---

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. BS8233 also seeks an upper limit of 55dB in gardens.

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

18 The calculations are set out in tables 2 and 3 within Mr Melin’s proof of evidence.
supply. 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, 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.

---

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. 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 500m$^2$ 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 4,000m$^2$ 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  Senior Planning Officer, Broadland DC.
   BSc(Hons) MPI
Mr J Walchester  Spatial Planning Manager, Broadland DC.
   BSc(Hons) MPl
Mr S Faulkner  Principal Planner, Norfolk CC.
   BA(Hons) MSc
   DipTP MRTPI
Mrs J Blackwell  Estates Planning Officer for Schools, 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  Sharps Acoustics LLP.
   CEng FIMechE FIOA
Mr L A Brown  Technical Director, MLM Consulting Engineers.
   BSc MSc MIHT MILT
Mr J Allen  Senior Partner, Roche Chartered Surveyors.
   BA FRICS
Mr L Melin  Director, Beacon Planning.
   BSc DipUP MRTPI MIEnvSc
Mr T Ivory  Howes Percival LLP.

FOR GENERATOR DEVELOPMENTS:

Mr D Churchill  Director, Iceni Projects Ltd.
   MRTPi

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.
Mrs J Rackham  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

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.