BROADLAND DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

Appeal by: Mr T Harper against the refusal of Broadland District Council to grant planning permission for the erection of 64 dwellings with associated garages and amenity work together with public open space on land off Wyngates, Blofield, Norwich.

Planning Inspectorate reference number: APP/K2610/A/13/2198950

Broadland District Council planning application number: 20130296

LOCAL PLANNING AUTHORITY PROOF OF EVIDENCE

1 WITNESS

1.1 I am Glen Beaumont and I am a Senior Planning Officer at Broadland District Council’s Planning Department. I have an honours degree in Environmental Science and a Masters degree in Planning, Policy and Practice. I have been a Planning Officer for 8 years, working for Broadland District Council for all of this time. I was the case officer who dealt with the application that is the subject of this appeal.

2 THE LOCAL PLANNING AUTHORITY’S CASE IN RESPECT OF THE APPEAL

2.1 The reasons for refusal are:-

a) The scale of development, when taking account of the existing estate scale housing commitment in Blofield, is excessive and not commensurate with Blofield as a Key Service Centre. The proposed development is therefore contrary to Policy 14 of the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011.

b) Policy 9 of the JCS sets out the strategy for growth in the Norwich Policy Area and that allocations to deliver the smaller sites in Broadland and South Norfolk will be made in accordance with the settlement hierarchy and local environmental and servicing consideration. Approval of this proposal will see a disproportionate
amount of the development for the district being carried out in one area, contrary to the settlement hierarchy and Policy 9 of the JCS.

c) The first core planning principle in paragraph 17 of the National Planning Policy Framework (NPPF) explains that planning should be genuinely plan-led, empowering local people to shape their surroundings. The proposal that is the subject of this appeal seeks to circumvent this plan-led principle and will undermine it.

d) The application is premature in advance of the adoption of the Site Allocations Development Plan Document (SA DPD). The effect of approving this proposal would be to pre-determine decisions about the scale and location of growth in other Key Service Centres or settlements higher up the settlement hierarchy, which ought to be addressed through the SA DPD.

e) The cumulative impact of approved and proposed development in Blofield will represent a significant influx of growth over a relatively short period of time. It will be difficult to assimilate this into the community and is likely to lead to a disparity between the local population and local facilities and services. The application is therefore contrary to Policy 7 of the JCS.

2.2 Paragraph 49 of the NPPF explains that housing applications should be considered in the context of the presumption in favour of sustainable development. 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. Linked to this, paragraph 14 of the NPPF states that this presumption in favour of sustainable development means “where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- Any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or,
- Specific policies in this Framework indicate development should be restricted”.

2.3 Broadland District Council accepts that there is not a five year supply of deliverable housing sites within the Norwich Policy Area (NPA) and that the relevant housing policies in the Broadland District Local Plan (Replacement) are out of date. In respect of the current figure for housing land supply in the NPA, the GNPD Paper on Housing in response to the JCS Inspector’s letter of 24 May 2013 (see Appendix A) provides updated information on housing land supply. At 31 March 2013, the published figure plus the 5% requirement for the NPA is 4.58 years and 2.24 years for the Broadland part of the NPA. A map of the NPA is attached as Appendix B to this evidence.
2.4 The JCS was adopted in March 2011. Some wording has been remitted as a result of a High Court ruling and this will be referred to where necessary in this evidence. However, the Examination in Public for those remitted parts was held in July 2013. The consultation on post examination Main Modifications commenced on 9 September 2013 and will end on 21 October 2013 (see Appendix C). It is anticipated that the Inspector’s report will be available in late November and that adoption will be January or February 2014.

2.5 It is possible that the Inspector can find the JCS “unsound” but the proposed Main Modifications being consulted on are judged to be necessary under Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 in order for the document to be “sound”. These modifications do not include major changes to the Growth Triangle or the 2000 dwellings to be provided outside of the Growth Triangle in the Broadland part of the NPA. However, there is a proposed flexibility policy that would require the production of a focused local plan for the whole of the NPA to identify additional locations for immediately deliverable housing land, if monitoring shows that there is a significant shortfall in supply in the Broadland part of the NPA (in any monitoring report produced after two years from adoption of the JCS).

2.6 Broadland District Council is currently preparing its SA DPD and consultation on the ‘Site Allocations Consultation – Preferred Options 2013’ document closed on 2 September 2013. The anticipated progress of this is that consideration of the Preferred Options consultation responses will be complete by February 2014 with publication of the Proposed Submission document in late March 2014. The Examination in Public is anticipated during September 2014 with adoption of the DPD taking place in late 2014 or early 2015.

2.7 Policy 4 of the JCS states that allocations will be made to ensure that approximately 33,000 new homes will be delivered within the NPA between 2008 and 2026, distributed in accordance with the Policies for Places. A minimum of 21,000 of these dwellings will be provided through new allocations while the remainder will be met through existing commitments. Policy 9 of the JCS states that the NPA is the focus for major growth and development and that housing need will be addressed by the identification of new allocations distributed across a number of locations. The NPA includes the area of Norwich City Council and adjacent areas of Broadland and South Norfolk Councils. The remitted text identifies the Old Catton, Sprowston, Rackheath and Thorpe St. Andrew growth triangle as a focus for growth in Broadland but that smaller sites elsewhere within the Broadland part of the NPA should contribute a minimum of 2000 dwellings. Although remitted and thus in draft form, the figure of 2000 dwellings is a material consideration. Policy 9 also states that allocations to deliver the smaller sites will be made in accordance with the settlement hierarchy and local environmental and servicing considerations.
In the supporting text to Policy 10 of the JCS, paragraph 6.13 states that most of the growth within the plan will be located within the NPA where it can be best served by greatly enhanced public transport, walking and cycling. Paragraph 6.2 of Chapter 6 (entitled “Policies for Places”) states that the policies of the JCS will distribute growth according to the following settlement hierarchy (which has not been remitted and is itself in accordance with paragraph 17 (bullet 11) of the National Planning Policy Framework (NPPF)):

(a) Norwich urban area. The existing urban area includes the built up parts of the urban fringe parishes of Colney, Costessey, Cringleford, Trowse, Thorpe St. Andrew, Sprowston, Old Catton, Hellesdon, Drayton and Taverham
(b) Main towns
(c) Key Service Centres
(d) Service Villages
(e) Other Villages

Paragraph 6.3 of the JCS states that the scale of development generally decreases at each level of this hierarchy.

Policy 14 of the Joint Core Strategy identifies Blofield as a Key Service Centre and states that land will be allocated for residential development for approximately 50 dwellings. This policy has not been remitted. The policy also states that settlements identified as Key Service Centres that are within the NPA may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance – in this case, a minimum of 2000 dwellings (although this figure has been remitted) in the Broadland part of the NPA. The commentary to this policy at paragraph 6.50 explains that Blofield has limited shopping and employment and secondary education is provided at Thorpe St. Andrew. It also explains that there are more sustainable options for accommodating new housing developments in the NPA and consequently, only a modest housing allocation of approximately 50 dwellings is proposed for Blofield.

Since 2008, the village of Blofield has grown relatively slowly having experienced strong growth in the 1980s and early 1990s. Planning permissions have been granted and implemented for 15 new dwellings (see Appendix D) and these have largely been accommodated by way of infill development within the settlement limit that has been defined for the village. In March 2013, outline planning permission was granted on appeal for a maximum of 175 residential units, a maximum of 4,000 square metres of employment space and open space on land on the western edge of the village. In June 2013, full planning permission was granted for 22 dwellings on land adjoining to the southwestern edge of the village. Neither of these sites have been implemented but both sites have been identified by the Council as its preferred options for growth in the village in the ‘Site Allocations Consultation – Preferred Options 2013’ document (see Appendix E for extracts relevant to Blofield).
2.11 Brundall is the neighbouring village to the south of Blofield and has also been identified by the JCS as a Key Service Centre. Within Brundall, there are extant planning permissions for estate scale development amounting to 194 dwellings. Planning application 20121638 granted full planning permission, with the support of the Parish Council, for 150 dwellings in June 2013 at the site identified by the Council as its preferred option in the ‘Site Allocations Consultation – Preferred Options 2013’ document. Planning application 20120167 granted outline planning permission for 44 dwellings at a site within the defined settlement limit in December 2012.

2.12 In paragraph 20 of the appeal decision relating to the land on the north side of Yarmouth Road (ref. APP/K2610/A/12/2177219), the Inspector recognised that 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 in 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 degree of development to take place in the Norwich urban area and the Main Towns than in Key Service Centres. 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.

2.13 Broadland District Council accepts that there will be some growth at Blofield and in light of the Inspector’s decision for a maximum of 175 residential units, a maximum of 4000 sq m of employment (class B1) and open space on land to the north of Yarmouth Road on the western fringe of Blofield (granted outline planning permission on 19 March 2013 following an appeal inquiry ref. APP/K2610/A/12/2177219), that the village will accommodate more than its allocation of approximately 50 dwellings to meet the suggested target of 2000 dwellings at smaller sites in the Broadland part of the NPA. In its ‘Site Allocations Consultation – Preferred Options 2013’ document, the Council identifies its preferred options for Blofield as the two sites within the village where there are extant planning permissions. One site is the aforementioned site to the north of Yarmouth Road. The other site is 22 dwellings on land to the south of Yarmouth Road on the western fringe of the village which was granted planning permission on 28 June 2013.

2.14 The total number of dwellings that benefit from planning permission as part of estate scale development in Blofield amounts to 197 dwellings. Planning permissions that have been granted and implemented since 2008 add a further 15 dwellings to this amount and the combined figure is over four times the minimum approximate housing allocation identified for Blofield in the JCS. For the estate scale commitment alone and using figures taken from paragraph 22 of appeal decision ref. 2177219, this could result in the population of Blofield increasing by approximately 25%. By using the same figures, if this appeal is approved, the population of Blofield could increase by approximately 33% and if the land at Garden Farm that is the subject of
a separate appeal is granted planning permission, the population of the Blofield could increase by approximately 43%.

2.15 In terms of numbers of dwellings, the approval of 64 further dwellings in Blofield will, taking account of approved estate scale housing development referred to above, represent a significant increase in the size of the settlement, being about 5.2 times the level of 50 dwellings referred to in Policy 14 of the JCS. If the Garden Farm site was added to this, the number of dwellings being proposed will be approximately 6.7 times the level of 50 dwellings.

2.16 The figures provided above indicate that the cumulative impact of approved and proposed development in Blofield will represent a significant influx of growth over a relatively short period of time. It will be difficult to assimilate this into the community and is likely to lead to a disparity between the local population and local facilities and services. The Council is consequently of the view that this proposal is contrary to Policy 7 of the JCS. The growth of services and facilities often lags behind growth and the letter from Blofield Surgery (see Appendix F) illustrates this and the potential consequences of further growth.

2.17 The Council accepts that there is less than a five year supply of land for housing in the NPA but development at this overall scale will cause demonstrable harm by undermining the plan led approach advocated by paragraph 17 (bullet 1) of the NPPF and the spatial strategy and settlement hierarchy set out in the up to date JCS. Development at this overall scale is excessive and would result in a disproportionate amount of development for the district being carried out in one area at one of the smaller Key Service Centres. The proposal is therefore contrary to Policies 9 and 14 of the JCS and it is considered that the overall scale of development would be more appropriate at a settlement higher up the settlement hierarchy.

2.18 At paragraph 26 of his decision for the decision on land to the north of Yarmouth Road, the Inspector notes that 175 dwellings “is on the high side for Blofield, which is one of the smaller Key Service Centres”. It is considered that this proposal, in addition to the extant permissions for up to 197 dwellings (giving a total of 261 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.

2.19 Policy 14 of the JCS states that Blofield will be allocated 50 dwellings to contribute towards growth in the NPA with the possibility that this number could rise to contribute towards the additional 2000 to be provided at smaller sites in the Broadland part of the NPA. At paragraph 37 of his decision, the Inspector confirms that “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”. At paragraph 39, the Inspector concludes that the housing component of the appeal is
“premature in respect of the preparation of the Site Allocations DPD, and that it would pre-determine decisions about the location of residential development at Blofield”.

2.20 The Council considers that the proposal that is the subject of the current appeal is premature in advance of the SA DPD and that this is in step with the previous Inspector’s stated view. To allow the appeal would pre-determine decisions about the scale and location of growth elsewhere, which ought to be addressed through the emerging SA DPD. Additionally, the first core planning principle in paragraph 17 of the NPPF explains that planning should be genuinely plan led, empowering local people to shape their surroundings. This proposal seeks to circumvent this plan led principle and will undermine it.

2.21 The emphasis that the NPPF places on the plan led system suggests that in many circumstances, plan led development is more appropriate to ensure the right development in the right place at the right time. In this instance, given the existing estate scale housing commitment in Blofield, it is considered that the plan led approach should be allowed to take place. If the plan led system cannot be allowed to operate, public confidence in it will erode.

2.22 However, the Council is not closed to development and has taken a pragmatic approach within the Broadland part of the NPA by permitting appropriate developments in appropriate locations. This includes planning permissions granted since 2008 at Little Plumstead (75 units – application ref. 20080199 and 20101213), Horsford (63 units – application ref. 20100774), Spixworth (54 units – application ref. 20120850), Brundall (194 units – application refs. 20120167 and 20121638) and Thorpe St. Andrew (301 units and community building – application refs. 20130649 and 20130650). Although there is not a five year supply of land for housing, by granting planning permissions in appropriate places, this demonstrates that the Council is not closed to new development while the JCS and SA DPD are being repaired and prepared and that the Council is taking steps to try and reduce the housing deficit.

3 CONCLUSION

3.1 In conclusion, the Local Planning Authority considers that this proposal represents an unacceptable form of development that is premature in advance of the Site Allocations Development Plan Document and is contrary to Policies 7, 9 and 14 of the Joint Core Strategy and paragraph 17 (bullet point 1) of the NPPF.
Appendices


B. Map of Norwich Policy Area.

C. GNDP Suggested Main Modifications Consultation 2013

D. Planning permissions granted and implemented in Blofield since 1 January 2008

E. Extract from 'Site Allocations Consultation – Preferred Options 2013' showing sites in Blofield identified as Broadland District Council's preferred options

List of Documents

2. Joint Core Strategy for Broadland, Norwich and South Norfolk (2011)
3. Site Allocations Consultation – Preferred Options 2013
4. Relevant documents, including Planning Committee report and Supplementary Schedule dated 22 May 2013, relevant representations and consultee responses.
5. Appeal decision ref. APP/K2610/A/12/2177219 dated 19 March 2013 relating to land at north side of Yarmouth Road, Blofield
6. Any further documents which become material to the issues prior to the determination of the Appeal.