Planning Committee

AREA
East

PARISH
Brundall

4

APPLICATION NO: 20121638  TG REF: 631764/309103

LOCATION OF SITE
Land to west of Cucumber Lane, Brundall, NR13 5QR

DESCRIPTION OF DEVELOPMENT
Erection of 150 dwellings, vehicular accesses, open space and associated works

APPLICANT
Persimmon Homes Ltd, Persimmon House, Colville Road Works, Oulton Broad, Lowestoft, Suffolk, NR33 9QS

AGENT
Alan Presslee, Cornerstone Planning Ltd, 6 Nightingale Avenue, Cringleford, Norwich, NR4 7LR

Date Valid: 19 November 2012
13 Week Expiry Date: 18 February 2013

1 THE PROPOSAL

1.1 This application seeks full planning permission for 150 dwellings, vehicular accesses, open space and associated works on a 5.8 hectare parcel of agricultural land to the west of Cucumber Lane in Brundall.

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

1.3 The 150 dwellings comprise 24 bungalows and 126 houses. The bungalows will be located adjacent to the northern and southern boundaries of the site. In total, 10 one bed dwellings, 47 two bed units, 56 three bed units and 37 four bed units are proposed for construction. Of these, 50 will be provided for affordable housing – 10 one bed units, 22 two bed units, 17 three bed units and 1 four bed unit – and these will be spread around the site in small groups. 30 of the affordable units will be offered on an Affordable Rent Tenure while the remaining 20 will be offered on an intermediate tenure.

1.4 It is proposed that the development will be served by two vehicular accesses on Cucumber Lane with a loop road running through the development connecting the two. Also as part of the application, traffic calming measures are proposed for Cucumber Lane and junction improvement works to the Cucumber Lane / A47 roundabout.
12 & 13, 93, 94 & 97 – especially given the size of the dwellings on Plots 4 & 97.

Together with some of the proposed tree planting / landscaping shown on the Landscape Masterplan within the Design and Access Statement, I consider additional landscaping is required across this site by way of additional tree planting along significant 'routes' and prominent positions within the development. This should include a line of trees from south outside Plot 3 northwards to the west of the 'infiltration areas' crossing to the east of the swale opposite Plot 54 and following the swale to the bund adjacent to the northern boundary.

Also, additional tree planting could mark prominent positions within the site, especially in the rear gardens of Plots 1, 33, 18, 17/89 & 101/100 and the areas adjacent to Plots 88 & 148. Additional planting could also take place along and within the western boundary opposite garages on Plots 98/99, 99-100, 105/106 & 103/104 and further planting along the bund to the north towards the A47 could take place. Also, small native tree species should be planted along the southern boundary in the rear gardens of Plots 3, 8, 12, 93, 94/97 and within the Public Open Space in the SW corner and on the Village Green. Please condition that a full and detailed landscaping scheme is submitted for approval including both maintenance and future management to ensure both establishment and sustainability of the planting stock for the future.

3.2 Conservation Officer (Design):

This remains a disappointing proposal. The layout is dominated by a cookie-cutter “house-driveway-garage-house-driveway-garage-house-driveway-garage” form of development.

In case where terraces are used, the layout does not produce much in the way of a meaningful sense of enclosure as encountered in traditional villages and towns.

There is little sense of design in three dimensions: Terrace blocks face arbitrarily skewed bungalows; detached and semi-detached houses are scattered at random angles behind often tiny and awkwardly-shaped pieces of front garden.

The whole layout could be significantly improved by tightening it all up and eliminating little bits of wasted space.

It is also disappointing that there is no provision for links either to the existing development to the south (notwithstanding residents’ concerns, the reasons for which seem vague at best), or directly to the cycle route alongside the A47 to the north.
Housing Development Officer suggested a mix of 60% rent and 40% intermediate tenures to accommodate bungalows and a 4 bedroom house in the mix. Again the schedule attached the proposed layout in Appendix 3 seems to suggest that this is the mix being proposed (NOTE: agent subsequently confirmed that this is the case).

The Housing Development Officer is assuming (but would like confirmation) that the following is the proposed mix:

**Affordable Rent Tenure (ART) – 30 properties**
- 1 bed two person flats (designed as houses) – 10 properties
- 2 bed four person houses – 10 properties
- 3 bed six person houses – 6 properties (NOTE: Housing Development Officer accepted afterwards that these could be 3 bedroom five person properties)
- 4 bed house – 1 property
- 2 bedroom four person lifetime bungalow – 2 properties
- 3 bedroom six person lifetime bungalow – 1 property

**Intermediate tenures (shared equity) – 20 properties**
- 2 bedroom houses – 10 properties
- 3 bedroom houses – 10 properties

The Housing Statement includes reference to the provision of social rent properties, but the Council is assuming that the developer means Affordable Rent Tenure. The Council would like confirmation of this (NOTE: confirmation subsequently provided).

The bungalows will be built to lifetime homes standards, which means the properties can be easily adapted to meet the changing needs of families.

The Housing Development Officer is happy with the proposed grouping of the affordable housing, although some of the car parking arrangements to the back of properties will probably result in people parking their cars at the front of their properties and not using the car parking areas. It would be helpful to know if the developer has included comments and observations from a Housing Association on the layout and design of the properties to ensure housing management comments have been taken into account (NOTE: agent confirmed that the applicant has not engaged a Housing Association but do not envisage problems in this regard given its experience on other schemes).

The Council expects the Affordable rent properties to meet Homes and Communities Agency Design and Quality Standards (2007) (NOTE: confirmation subsequently provided).
of the improvement works and we will request than appropriate condition requiring the drainage strategy to be implemented.

The preferred method of surface water disposal would be to SuDs with connection to the sewer seen as a last option. Anglian Water has been liaising with the developer to formulate a surface water strategy which incorporates SuDs techniques. We can confirm that the strategy relevant to Anglian Water is acceptable and we will request that the agreed strategy is reflected in the planning approval.

3.11 Brundall Parish Council:

At its meeting on the 13 December 2012, Brundall Parish Council discussed the proposed development put forward by Persimmon Homes Ltd to Broadland District Council Planning department. The Council resolved to support the planning application but with some concerns which we have listed below:

1. Pressure back log from traffic entering into Brundall's Cucumber Lane, but not able easily to turn right into the proposed development.

2. Increased traffic coming from the existing estate – Berryfields, not able to turn right from the estate in times of high traffic volume.

3. The need to ensure extra planting is carried out where the sound bund is proposed in addition to fencing, which was the recommended option in the report.

4. Consideration for one/two pelican or assisted crossing measures in Cucumber Lane.

Aside from the above Resolution, we would also like to bring your attention to the comment we received from the Brundall Medical Centre as stated below:

"The practice has no objections to the additional housing and is confident that we have the capacity to look after the additional patients without any detrimental effect on our existing patients. We welcome this development".

We have also been in correspondence with Brundall Primary School and the Headteacher has felt unable to offer a considered opinion on school numbers until he has discussed the matter with his Board of Governors.

3.12 Broads Authority:

No comments received.
A geophysical survey carried out at the proposed development site identified some linear anomalies possibly relating to archaeological features. Cropmarks of ditches, probably relating a field system of unknown date, and artefacts of prehistoric and medieval date have previously been recorded at the proposed development site. Cropmarks of a Bronze Age ring ditch, enclosures and field boundaries have also been recorded in the vicinity of the site. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to 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 mitigatory work should commence with targeted archaeological trial trenching in accordance with a brief to be issued by Norfolk County Council Historic Environment Service.

3.16 Norfolk County Council (as Highway Authority):
Beverley Road, Cucumber Lane, Foster Close and Parker Close

Expiry date: 19 December 2012

4.4 Newspaper advertisement:

Expiry date: 25 December 2012

5 REPRESENTATIONS

5.1 2 objections received from residents of Brundall on the following grounds:

- Too many dwellings are being proposed for the site
- Too many houses are being proposed for an already overpopulated village
- Local roads are unsuitable for the amount of traffic that the development will generate
- Cucumber Lane is an accident blackspot
- The open space in the southwest corner will be a gathering area for teenagers
- Local services and facilities will be unable to cope with the increase population

5.2 Comments received from 6 residents of Brundall:

- Grateful that the Visual Impact Assessment recognises that the development will infringe upon views currently enjoyed by residents of Cucumber Lane. Hope that if permission is granted, that the native planted alongside Cucumber Lane will be of trees and hedges of a reasonable size and will not be slow to mature so that a rural view may be created again.
- Concerned at noise from extra traffic that will be generated by the development.
- Concerned that extra traffic will result in increased congestion and disruption.
- Concerned that two access / exit points so close to the A47 roundabout will cause harm to highway safety.
- Concerned that extra traffic will cause harm to highway safety, and increase the risk of accidents to pedestrians and schoolchildren.
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 (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:
Identifies Brundall 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.

6.14 Policy 18:

Opportunities will be taken to support the protection and enhancement of the Broads while ensuring no detrimental impact upon the Broadland SPA, Broadland RAMSAR and Broads SAC.

Broadland District Local Plan (Replacement) 2006:

6.15 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.

6.16 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.

6.17 Policy GS4:

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

6.18 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.

6.19 Policy ENV3:
In the case of major developments or where the transport network is under particular stress, applicants will be required to submit a transport assessment with planning applications, demonstrating the measures proposed to deal with the travel consequences of the development. Developers will be expected to pay for all improvements that are primarily required directly as a consequence of their proposals.

**6.27 Policy TRA3:**

For major development, (or for smaller developments that would generate significant amounts of traffic in, or near to, air quality management areas), the submission of a travel plan will be required as part of the planning application.

**6.28 Policy TRA4:**

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

**6.29 Policy TRA8:**

The parking provided in relation to a particular development will reflect the use, location and accessibility by non car modes as determined in the transport assessment for the development. In new developments parking and manoeuvring space will be provided in accordance with the Council’s parking guidelines.

**6.30 Policy TRA14:**

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

**6.31 Policy RL5:**

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

**6.32 Policy RL7:**

In developments of five dwellings or more, the District Council will expect developers to make provision for and provide for the future maintenance of land suitable for both formal and informal outdoor recreational pursuits.
the development proposed by the current application does not require an Environmental Impact Assessment.

9 APPRAISAL

9.1 This application seeks full planning permission for 150 dwellings, two vehicular accesses from Cucumber Lane, open space and associated works. 24 of the dwellings will be bungalows while the remainder will be a mixture of detached, semi-detached and terraced houses or flats in two storey buildings in a variety of designs. The open space will be provided in four areas: along the Cucumber Lane frontage, to the west of the centre of the site (where a children’s play area will be located), to the east of the centre of the site and in the southwest corner of the site. The associated works include the construction of a 4m high acoustic barrier along the northern boundary of the site to limit noise from the A47 trunk road and off site highway works on Cucumber Lane.

9.2 A Screening Opinion (reference 20121737) on whether the proposal would require an Environmental Impact Assessment was issued by the Local Planning Authority on 21 December 2012. It concluded that the proposed development did not require an Environmental Impact Assessment.

9.3 Prior to submitting the application, meetings were held between officers and the agent. The agent also had a series of meeting with Brundall Parish Council between October 2010 and October 2012 and a public exhibition was held at the Memorial Hall in Brundall on 19 October 2011. The agent has set out in the submitted Statement of Community Involvement that this exhibition and the meetings held with the District Council and Parish Council along with liaisons with other relevant parties have resulted in adaptations and amendments being made to the scheme, which include (but are not limited to):

- Offering a financial contribution to the Parish Council to assist in its aspiration of providing a community sports and recreation facility in the village.

- Changes to the open space arrangements within the site so that a village green and substantial green frontage facing Cucumber Lane is provided instead of a pitch, and provision of open space in the centre of the development to provide a focal point.

- The deletion of any pedestrian/cycle link through to Parker Close (to the south).

9.4 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
Policy 14 of the JCS identifies Brundall 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 Brundall has a limited range of dispersed shops and services and is a major centre for boatyards. It has a limited provision of recreation facilities that needs to be rectified and secondary education is provided at Thorpe St Andrew. The commentary also explains that Brundall has two railway stations and relatively frequent bus services to Norwich but 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 Brundall. The 150 dwellings proposed by this application is significantly more than the suggested allocation. However, the main body of the policy text states that settlements that are in the NPA – such as Brundall – may be considered for additional development to help deliver the 2000 dwellings at smaller sites in the Broadland district that are in the NPA.

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.

Paragraph 14 of the NPPF should also be noted. This 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.

The commentary to Policy 14 of the Joint Core Strategy sets out in general terms the types of services and facilities available in Brundall. Being more specific, the following services, facilities and amenities are available within the village:

- Pre-school nursery
- Primary school
- 3 x residential care homes
- Doctors’ surgery
opportunities that works at the site will generate, more residents to support existing services and facilities, contributions to improve formal recreation provision within the village and that the application benefits from the support of the Parish Council. For these reasons and in taking account of paragraph 14 of the NPPF, it is considered that the application will not result in demonstrable adverse impacts that will outweigh the benefits.

9.15 It is intended that land for housing development to meet the targets in the JCS will be identified through the Site Allocations Development Plan Document (SA DPD). Two sites in Brundall, including the application site, were shortlisted as having potential for residential development in the ‘Site Allocations Consultation – Shortlisted Sites’ consultation document from 2011. Both sites will be assessed in terms of their ability to deliver the housing targets for Brundall set out in the JCS and the most suitable site/sites will be taken forward as ‘Preferred Options’. However, this DPD is not likely to be adopted until late 2014 at the earliest.

9.16 As this planning application has been submitted in advance of the SA DPD being adopted, its consideration is premature. However, given the relatively early stage at which the SA DPD is at, it is considered that a refusal cannot be justified on these grounds. In terms of whether the application is prejudicial to the consideration of the SA DPD, another site for 50 dwellings has been proposed elsewhere in Brundall and it is acknowledged that in approving this planning application in advance of the SA DPD, it may pre-empt the consideration of the alternative site. However, and similar to the discussion above on whether 150 dwellings is appropriate to Brundall, it is considered that the benefits associated with this application outweigh the fact that granting planning permission may prejudice the consideration of another smaller site.

9.17 The Localism Act 2011 states 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 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 as it is not ringfenced funding. Using the Council’s allocation for 2013-2014 from the Department of Communities and Local Government and for guidance purposes only, each completed open market unit would attract a payment of £1,107.76 and each completed affordable unit would attract a payment of £1,387.76.

9.18 Within the site area, the development is typical of modern residential developments. A generic design approach has been adopted which draws upon vernacular details and materials and despite the Conservation Officer’s (Design) concerns, it is considered that these do not provide sufficient grounds on which to refuse the application. 24 of the dwellings will be bungalows while the remainder will be a mixture of detached, semi-detached
content that there are no incidents of direct and intrusive overlooking. Garden sizes varying according to dwelling type and these range from adequate to generous in size.

9.24 In considering the residential amenity of future occupiers of the site, perhaps the key issue is noise from the A47 trunk road. The applicant proposes to address this by constructing a 4m high barrier along most of the northern boundary of the site comprising a 2m high earth/grass bund with a 2m high fence above, and by constructing bungalows along the northern fringe of the development. The bund will absorb an amount of noise and the bungalows will be in the lee of the bund and benefit from its construction. It is proposed that planting will be installed along the top of the bund to screen the fence, which in addition to the bund, might otherwise have been seen as an austere and dominant feature within that part of the application site without the planting. The Council’s Environmental Health Officer has recommended the use of an appropriate condition which seeks to ensure that noise levels at residential properties comply with recognised noise criteria and it is considered that this along with the satisfactory nature of the bund and fence will result in an acceptable form of development in respect of noise and residential amenity.

9.25 On highway matters, the development will be served by a loop road with two points of access/egress onto/from Cucumber Lane. Works are also proposed for Cucumber Lane comprising widening of the junction with the A47 roundabout to ensure nil detriment, to extend the 30mph speed limit northward towards the A47 roundabout, for a vehicle activated 30mph sign to be provided to the south of the site, and for a footpath to be provided along the site frontage. In commenting on the application, the County Council (as Highway Authority) sought clarification on matters of detail on the layout of the site and nature of the proposed off-site works. This resulted in a revised layout plan and landscape masterplan being submitted and further comments are awaited from the County Council. Members will be updated on any comments received either in the Supplementary Schedule or verbally at Committee.

9.26 The Highways Agency has commented on the application from its position of interest in the satisfactory functioning of the A47 trunk road. On the basis of the information submitted with the Transport Assessment, it is satisfied that the A47 will operate satisfactorily both with and without development traffic and thus it has not raised any objections to the application.

9.27 Given that the area of the site exceeds 1 hectare, the applicants were required to submit a Flood Risk Assessment with the application. The site is within Flood Zone 1, where the risk of flooding is considered to be low, but the applicant was still required to demonstrate that the development would not increase the risk of flooding elsewhere. Following discussions with the Environment Agency and amendments to the Flood Risk Assessment, subject
of formal recreational facilities. In addition to this, the applicant is willing to provide a supplementary sum of £200,000 plus a capped sum of £50,000 towards the Parish Council's legal fees. The commuted sum is justified by Policies RL5 and RL7 of the Local Plan and by the Recreational Open Space SPD and is a benefit that can be taken into account in determining the application. The supplementary sum and contribution towards associated legal fees does not meet the CIL tests set out in paragraphs 6.4 and 9.40 of this report and so must not given any weight and not taken into account in deciding this application.

9.31 Although no weight can be given to the supplementary payment and contribution towards associated legal fees in deciding this application, Members may wish to consider whether these items will be secured if the site is allocated through the SA DPD and after the adoption of CIL later this year. The relevance of the SA DPD to this application and its early stage of preparation has already been discussed but in relation to this particular issue, if the site is allocated, it is considered that there will be limited incentive for the applicant to offer the supplementary payment and contribution towards legal fees. The impending adoption of CIL is also relevant as contributions towards providing off site open space will be included within CIL. In light of this, there are considered to be no grounds on which to delay any decision to grant planning permission at this time.

9.32 On 1 February 2013, a Tree Preservation Order was served that protects a number of trees along the north, east and southern boundaries of the site. This includes 14 individual trees and two separate groups of trees (each comprising 2 trees). The drawing of the layout of the site shows that three trees will need to be removed to facilitate accesses and visibility splays. Despite the issuing of the TPO, it is considered that the removal of three trees will not significantly affect the character and appearance of the area, particularly when an opportunity exists to mitigate the loss by planting new landscaping elsewhere along the site frontage. The Conservation Officer (Arboriculture & Landscape) has commented on the proximity of dwellings and garages to the southern boundary of the site and the need to provide more landscaping throughout the site and along significant routes and prominent positions. Officers are satisfied that matters of landscaping can be dealt with by way of an appropriate condition. The concerns raised on the position of dwellings and garages in relation to the southern boundary have been noted and the layout of the site has been adjusted such that these structures have been moved further away from the boundary. This is considered to be acceptable.

9.33 An ecological appraisal was submitted with the application. In commenting on the application, the District Ecologist noted that the appraisal is fit for purpose and that the main issues are reptiles found on site and the effect of the development on breeding bird habitats and bat foraging/commuting routes. He also stated that the inclusion of native planting, provision of habitats for wildlife, a community orchard, SUDS and green spaces is a commendable
One might speculate that the inference behind this is that anti-social behaviour will take place in this area. This area of open space is open and no structures are proposed for it that might otherwise provide visual obstructions or points of attraction. There will also be a degree of natural surveillance provided by two bedroom windows in the side elevation of the bungalow at Plot 97 and two first floor bedroom windows in the side elevation of the house at Plot 98. This is considered to be adequate. The second point is that the play area in the centre of the site is not needed as Brundall already has a play area. This rather misses the point that a development should be able to service itself and the fact that a new play area is being provided that presents opportunities for children who live on site to play on site should be welcomed.

9.39 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 to the development. These include heads of terms to cover contributions towards and/or agreements to provide:

- Affordable housing (amounting to 33% of the total number of units)
- On-site and off-site recreational provision and public open space (including maintenance provision)
- Supplementary payment towards off-site recreational provision
- Education
- Libraries
- Transport infrastructure (subject to County Council confirmation)
- Monitoring fees
- Travel plan (subject to County Council confirmation).

9.40 The Community Infrastructure Levy (CIL) Regulations 2010 require that planning benefits secured through Section 106 Agreements must meet the three tests set out at Regulation 122 if they are to be a reason for granting planning permission. These tests are that the benefits must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- Fairly and reasonably related in scale and kind to the development.

9.41 In this particular case, it is considered that the matters relating to affordable housing, on-site and off site recreation provision and public open space, education, libraries, transport infrastructure (subject to confirmation from the County Council), travel plan (subject to confirmation from the County Council) and monitoring fees meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the application.
• Monitoring fees

Conditions:

(1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.

(2) The development hereby permitted shall not be carried out otherwise than in accordance with the submitted plans and documents as follows:

Drawing number 6540 S01 – Site Location Plan – received on 19 November 2012

Drawing number 6540 SL01 Rev.R – Site Layout – received on 5 February 2013

Drawing number 6540MS01 Rev.A – Site Layout and Materials Schedule – received on 19 November 2012 insofar as it relates to the materials schedule only

Drawing number 6540 RS01 – Proposed Refuse Strategy Plan – received on 27 November 2012

Drawing number 6540 EL01 Rev.D – Proposed Front Elevations – received on 19 November 2012

Drawing number 6540 G01 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 G02 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 G03 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 01 – A88B & A81B House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 02 – P1098, C1160 and P767 House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 03 – P657, A83S, A85S and P1408 House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 04 – C1123 and C1585 House Type Proposed Plans and Elevations - received on 19 November 2012

Drawing number 6540 05 – S59H, S76H and S121H House Type Proposed Plans and Elevations – received on 19 November 2012
• schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate

• implementation programme.

The works shall then take place in accordance with the approved details.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

(5) Occupation of the 100th dwelling on site shall not take place until the play equipment and areas of public open space shown on the attached hatched plan have been provided. The remaining public open space adjacent to the eastern boundary of the site shall be provided upon occupation of the 150th dwelling.

(6) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 – Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

(a) a plan that shows the position, crown spread and Root Protection Area (para 4.6.1) of every retained tree on site and on neighbouring ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

(b) the details of each retained tree as required at para 4.4.2.5 in a separate schedule.

(c) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).

(d) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 para 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
No development shall take place until details of water efficiency measures to comply with the Code for Sustainable Homes Level 4 for water have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary of the National Planning Policy Framework 2012). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before works commences on site. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

None of the dwellings shall be occupied until the development hereby permitted has incorporated the provision of water hydrants for the purposes of fire fighting.

No development shall take place until a detailed lighting strategy for the development has been submitted to and approved by the Local Planning Authority. The strategy shall include details of the lighting to be used during the construction and operational phases of the development. The strategy shall then be implemented in accordance with the approved details.

A surface water drainage scheme incorporating sustainable drainage principals shall be implemented and completed before any dwelling is first occupied. The said scheme shall be implemented and completed in accordance with the Flood Risk Assessment and associated appendices (A to G inclusive) undertaken by ASD Consultants and received on 19 November 2012, the letter from ASD Engineering (referenced 1107/110113/EA/001) to the Environment Agency dated 11 January 2013 and revised Microdrainage calculations, and subject to any changes required by Anglian Water or the adopting SUDS body in order to secure adoption. The said scheme will include the following requirements:

- It shall ensure that surface water outfall into the Anglian Water surface water sewer does not exceed 14 l/s.
- It shall ensure that storage shall be provided on the development site for the volume of surface water produced up to the 1% annual probability of occurrence rainfall event (including allowances for climate change as stated in Table 5 of NPPF Technical Guidance).
- It shall ensure that the depths of surface water flooding on the access roads allow safe access and egress for the future inhabitants and will not flood any buildings or flow offsite.
The clearance of any shrubs and trees that form breeding bird habitat should avoid the breeding season; March to July inclusive. If clearance during this period is unavoidable it should be preceded by an inspection of all vegetation by an ornithologist, and should indications of nesting be noted, a safeguarding zone of radius 10m shall be erected around each nest site until the young have fledged.

Works requiring the removal of boundary vegetation (including grass/ruderal) should be preceded by management work to ensure reptiles are able to safely leave. Management work should only take place in warm weather (on sunny days with light/no wind or rain and temperatures ideally above 15°C) during the period April to October inclusive, and following an initial inspection by an ecologist. Directional trimming shall be employed to reduce the height in stages to ground level, and the area should then be left for a period of 24 hours to provide sufficient time for any reptiles to disperse. Cut material should be removed and relocated off site.

Highways conditions to be inserted/reported when available.

Reasons:

1. The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure the satisfactory development of the site in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

3. To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

4. To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

5. In order to secure a satisfactory form of development in accordance with Policies GS3 and GS4 of the Broadland District Local Plan (Replacement) 2006.

6. To avoid damage to health of existing trees and hedgerows in accordance with Policies GS3 and ENV5 of the Broadland District Local Plan (Replacement) 2006.

7. To ensure the satisfactory development of the site in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.
(20) To adequately protect any protected species that may be present in accordance with Policies GS3 and ENV5 of the Broadland District Local Plan (Replacement) 2006.

(21) Reasons to be inserted when available.

Informatives:

(1) The site is subject to a related agreement under Section 106 of the Town And Country Planning Act 1990.

(2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their telephone number is 01603 430100 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

Reasons for Decision:

The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular, regard must be given to whether the proposal accords with Policies 1, 2, 3, 4, 6, 7, 8, 9, 14 and 18 of the Joint Core Strategy and Policies GS1, GS3, GS4, ENV2, ENV3, ENV5, ENV20, ENV23, HOU1, HOU6, HOU7, TRA2, TRA3, TRA4, TRA8, TRA14, RL5, RL7 and CS14 of the Broadland District Local Plan (Replacement) 2006. The Parking Standards and Recreational Open Space Supplementary Planning Documents are also relevant as is the National Planning Policy Framework (NPPF), The Planning System: General Principles, Written Ministerial Statement for Growth (March 2011) and Community Infrastructure Levy Regulations.

The application site is outside but adjacent to the settlement limit that has been defined for Brundall 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 Brundall and Policy HOU1 explains that 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. The application is therefore 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).
1 **THE PROPOSAL**

1.1 This application seeks full planning permission for 150 dwellings, vehicular accesses, open space and associated works on a 5.8 hectare parcel of agricultural land to the west of Cucumber Lane in Brundall.

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

1.3 The 150 dwellings comprise 24 bungalows and 126 houses. The bungalows will be located adjacent to the northern and southern boundaries of the site. In total, 10 one bed dwellings, 47 two bed units, 56 three bed units and 37 four bed units are proposed for construction. Of these, 50 will be provided for affordable housing – 10 one bed units, 22 two bed units, 17 three bed units and 1 four bed unit – and these will be spread around the site in small groups. 30 of the affordable units will be offered on an Affordable Rent Tenure while the remaining 20 will be offered on an intermediate tenure.

1.4 It is proposed that the development will be served by two vehicular accesses on Cucumber Lane with a loop road running through the development connecting the two. Also as part of the application, traffic calming measures are proposed for Cucumber Lane and junction improvement works to the Cucumber Lane / A47 roundabout.
12 & 13, 93, 94 & 97 – especially given the size of the dwellings on Plots 4 & 97.

Together with some of the proposed tree planting / landscaping shown on the Landscape Masterplan within the Design and Access Statement, I consider additional landscaping is required across this site by way of additional tree planting along significant 'routes' and prominent positions within the development. This should include a line of trees from south outside Plot 3 northwards to the west of the 'infiltration areas' crossing to the east of the swale opposite Plot 54 and following the swale to the bund adjacent to the northern boundary.

Also, additional tree planting could mark prominent positions within the site, especially in the rear gardens of Plots 1, 33, 18, 17/89 & 101/100 and the areas adjacent to Plots 88 & 148. Additional planting could also take place along and within the western boundary opposite garages on Plots 98/99, 99-100, 105/106 & 103/104 and further planting along the bund to the north towards the A47 could take place. Also, small native tree species should be planted along the southern boundary in the rear gardens of Plots 3, 8, 12, 93, 94/97 and within the Public Open Space in the SW corner and on the Village Green. Please condition that a full and detailed landscaping scheme is submitted for approval including both maintenance and future management to ensure both establishment and sustainability of the planting stock for the future.

3.2 Conservation Officer (Design):

This remains a disappointing proposal. The layout is dominated by a cookie-cutter "house-driveway-garage-house-driveway-garage-house-driveway-garage" form of development.

In case where terraces are used, the layout does not produce much in the way of a meaningful sense of enclosure as encountered in traditional villages and towns.

There is little sense of design in three dimensions: Terrace blocks face arbitrarily skewed bungalows; detached and semi-detached houses are scattered at random angles behind often tiny and awkwardly-shaped pieces of front garden.

The whole layout could be significantly improved by tightening it all up and eliminating little bits of wasted space.

It is also disappointing that there is no provision for links either to the existing development to the south (notwithstanding residents' concerns, the reasons for which seem vague at best), or directly to the cycle route alongside the A47 to the north.
Housing Development Officer suggested a mix of 60% rent and 40% intermediate tenures to accommodate bungalows and a 4 bedroom house in the mix. Again the schedule attached the proposed layout in Appendix 3 seems to suggest that this is the mix being proposed (NOTE: agent subsequently confirmed that this is the case).

The Housing Development Officer is assuming (but would like confirmation) that the following is the proposed mix:

**Affordable Rent Tenure (ART) – 30 properties**
1 bed two person flats (designed as houses) – 10 properties
2 bed four person houses – 10 properties
3 bed six person houses – 6 properties (NOTE: Housing Development Officer accepted afterwards that these could be 3 bedroom five person properties)
4 bed house – 1 property
2 bedroom four person lifetime bungalow – 2 properties
3 bedroom six person lifetime bungalow – 1 property

**Intermediate tenures (shared equity) – 20 properties**
2 bedroom houses – 10 properties
3 bedroom houses – 10 properties

The Housing Statement includes reference to the provision of social rent properties, but the Council is assuming that the developer means Affordable Rent Tenure. The Council would like confirmation of this (NOTE: confirmation subsequently provided).

The bungalows will be built to lifetime homes standards, which means the properties can be easily adapted to meet the changing needs of families.

The Housing Development Officer is happy with the proposed grouping of the affordable housing, although some of the car parking arrangements to the back of properties will probably result in people parking their cars at the front of their properties and not using the car parking areas. It would be helpful to know if the developer has included comments and observations from a Housing Association on the layout and design of the properties to ensure housing management comments have been taken into account (NOTE: agent confirmed that the applicant has not engaged a Housing Association but do not envisage problems in this regard given its experience on other schemes).

The Council expects the Affordable rent properties to meet Homes and Communities Agency Design and Quality Standards (2007) (NOTE: confirmation subsequently provided).
of the improvement works and we will request than appropriate condition requiring the drainage strategy to be implemented.

The preferred method of surface water disposal would be to SuDs with connection to the sewer seen as a last option. Anglian Water has been liaising with the developer to formulate a surface water strategy which incorporates SuDs techniques. We can confirm that the strategy relevant to Anglian Water is acceptable and we will request that the agreed strategy is reflected in the planning approval.

3.11 Brundall Parish Council:

At its meeting on the 13 December 2012, Brundall Parish Council discussed the proposed development put forward by Persimmon Homes Ltd to Broadland District Council Planning department. The Council resolved to support the planning application but with some concerns which we have listed below:

1. Pressure back log from traffic entering into Brundall’s Cucumber Lane, but not able easily to turn right into the proposed development.

2. Increased traffic coming from the existing estate – Berryfields, not able to turn right from the estate in times of high traffic volume.

3. The need to ensure extra planting is carried out where the sound bund is proposed in addition to fencing, which was the recommended option in the report.

4. Consideration for one/two pelican or assisted crossing measures in Cucumber Lane.

Aside from the above Resolution, we would also like to bring your attention to the comment we received from the Brundall Medical Centre as stated below:

"The practice has no objections to the additional housing and is confident that we have the capacity to look after the additional patients without any detrimental effect on our existing patients. We welcome this development".

We have also been in correspondence with Brundall Primary School and the Headteacher has felt unable to offer a considered opinion on school numbers until he has discussed the matter with his Board of Governors.

3.12 Broads Authority:

No comments received.
A geophysical survey carried out at the proposed development site identified some linear anomalies possibly relating to archaeological features. Cropmarks of ditches, probably relating a field system of unknown date, and artefacts of prehistoric and medieval date have previously been recorded at the proposed development site. Cropmarks of a Bronze Age ring ditch, enclosures and field boundaries have also been recorded in the vicinity of the site. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to 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 mitigatory work should commence with targeted archaeological trial trenching in accordance with a brief to be issued by Norfolk County Council Historic Environment Service.

3.16 Norfolk County Council (as Highway Authority):
Beverley Road, Cucumber Lane, Foster Close and Parker Close

Expiry date: 19 December 2012

4.4 Newspaper advertisement:

Expiry date: 25 December 2012

5 REPRESENTATIONS

5.1 2 objections received from residents of Brundall on the following grounds:

- Too many dwellings are being proposed for the site
- Too many houses are being proposed for an already overpopulated village
- Local roads are unsuitable for the amount of traffic that the development will generate
- Cucumber Lane is an accident blackspot
- The open space in the southwest corner will be a gathering area for teenagers
- Local services and facilities will be unable to cope with the increase population

5.2 Comments received from 6 residents of Brundall:

- Grateful that the Visual Impact Assessment recognises that the development will infringe upon views currently enjoyed by residents of Cucumber Lane. Hope that if permission is granted, that the native planted alongside Cucumber Lane will be of trees and hedges of a reasonable size and will not be slow to mature so that a rural view may be created again.
- Concerned at noise from extra traffic that will be generated by the development.
- Concerned that extra traffic will result in increased congestion and disruption.
- Concerned that two access / exit points so close to the A47 roundabout will cause harm to highway safety.
- Concerned that extra traffic will cause harm to highway safety, and increase the risk of accidents to pedestrians and schoolchildren.
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 (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:
Identifies Brundall 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.

6.14 Policy 18:

Opportunities will be taken to support the protection and enhancement of the Broads while ensuring no detrimental impact upon the Broadland SPA, Broadland RAMSAR and Broads SAC.

Broadland District Local Plan (Replacement) 2006:

6.15 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.

6.16 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.

6.17 Policy GS4:

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

6.18 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.

6.19 Policy ENV3:
In the case of major developments or where the transport network is under particular stress, applicants will be required to submit a transport assessment with planning applications, demonstrating the measures proposed to deal with the travel consequences of the development. Developers will be expected to pay for all improvements that are primarily required directly as a consequence of their proposals.

6.27 Policy TRA3:

For major development, (or for smaller developments that would generate significant amounts of traffic in, or near to, air quality management areas), the submission of a travel plan will be required as part of the planning application.

6.28 Policy TRA4:

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

6.29 Policy TRA8:

The parking provided in relation to a particular development will reflect the use, location and accessibility by non car modes as determined in the transport assessment for the development. In new developments parking and manoeuvring space will be provided in accordance with the Council’s parking guidelines.

6.30 Policy TRA14:

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

6.31 Policy RL5:

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

6.32 Policy RL7:

In developments of five dwellings or more, the District Council will expect developers to make provision for and provide for the future maintenance of land suitable for both formal and informal outdoor recreational pursuits.
the development proposed by the current application does not require an Environmental Impact Assessment.

9 APPRAISAL

9.1 This application seeks full planning permission for 150 dwellings, two vehicular accesses from Cucumber Lane, open space and associated works. 24 of the dwellings will be bungalows while the remainder will be a mixture of detached, semi-detached and terraced houses or flats in two storey buildings in a variety of designs. The open space will be provided in four areas: along the Cucumber Lane frontage, to the west of the centre of the site (where a children’s play area will be located), to the east of the centre of the site and in the southwest corner of the site. The associated works include the construction of a 4m high acoustic barrier along the northern boundary of the site to limit noise from the A47 trunk road and off site highway works on Cucumber Lane.

9.2 A Screening Opinion (reference 20121737) on whether the proposal would require an Environmental Impact Assessment was issued by the Local Planning Authority on 21 December 2012. It concluded that the proposed development did not require an Environmental Impact Assessment.

9.3 Prior to submitting the application, meetings were held between officers and the agent. The agent also had a series of meeting with Brundall Parish Council between October 2010 and October 2012 and a public exhibition was held at the Memorial Hall in Brundall on 19 October 2011. The agent has set out in the submitted Statement of Community Involvement that this exhibition and the meetings held with the District Council and Parish Council along with liaisons with other relevant parties have resulted in adaptations and amendments being made to the scheme, which include (but are not limited to):

- Offering a financial contribution to the Parish Council to assist in its aspiration of providing a community sports and recreation facility in the village.
- Changes to the open space arrangements within the site so that a village green and substantial green frontage facing Cucumber Lane is provided instead of a pitch, and provision of open space in the centre of the development to provide a focal point.
- The deletion of any pedestrian/cycle link through to Parker Close (to the south).

9.4 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
Policy 14 of the JCS identifies Brundall 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 Brundall has a limited range of dispersed shops and services and is a major centre for boatyards. It has a limited provision of recreation facilities that needs to be rectified and secondary education is provided at Thorpe St Andrew. The commentary also explains that Brundall has two railway stations and relatively frequent bus services to Norwich but 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 Brundall. The 150 dwellings proposed by this application is significantly more than the suggested allocation. However, the main body of the policy text states that settlements that are in the NPA – such as Brundall – may be considered for additional development to help deliver the 2000 dwellings at smaller sites in the Broadland district that are in the NPA.

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.

Paragraph 14 of the NPPF should also be noted. This 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.

The commentary to Policy 14 of the Joint Core Strategy sets out in general terms the types of services and facilities available in Brundall. Being more specific, the following services, facilities and amenities are available within the village:

- Pre-school nursery
- Primary school
- 3 x residential care homes
- Doctors’ surgery

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opportunities that works at the site will generate, more residents to support existing services and facilities, contributions to improve formal recreation provision within the village and that the application benefits from the support of the Parish Council. For these reasons and in taking account of paragraph 14 of the NPPF, it is considered that the application will not result in demonstrable adverse impacts that will outweigh the benefits.

9.15 It is intended that land for housing development to meet the targets in the JCS will be identified through the Site Allocations Development Plan Document (SA DPD). Two sites in Brundall, including the application site, were shortlisted as having potential for residential development in the ‘Site Allocations Consultation – Shortlisted Sites’ consultation document from 2011. Both sites will be assessed in terms of their ability to deliver the housing targets for Brundall set out in the JCS and the most suitable site/sites will be taken forward as ‘Preferred Options’. However, this DPD is not likely to be adopted until late 2014 at the earliest.

9.16 As this planning application has been submitted in advance of the SA DPD being adopted, its consideration is premature. However, given the relatively early stage at which the SA DPD is at, it is considered that a refusal cannot be justified on these grounds. In terms of whether the application is prejudicial to the consideration of the SA DPD, another site for 50 dwellings has been proposed elsewhere in Brundall and it is acknowledged that in approving this planning application in advance of the SA DPD, it may pre-empt the consideration of the alternative site. However, and similar to the discussion above on whether 150 dwellings is appropriate to Brundall, it is considered that the benefits associated with this application outweigh the fact that granting planning permission may prejudice the consideration of another smaller site.

9.17 The Localism Act 2011 states 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 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 as it is not ringfenced funding. Using the Council’s allocation for 2013-2014 from the Department of Communities and Local Government and for guidance purposes only, each completed open market unit would attract a payment of £1,107.76 and each completed affordable unit would attract a payment of £1,387.76.

9.18 Within the site area, the development is typical of modern residential developments. A generic design approach has been adopted which draws upon vernacular details and materials and despite the Conservation Officer’s (Design) concerns, it is considered that these do not provide sufficient grounds on which to refuse the application. 24 of the dwellings will be bungalows while the remainder will be a mixture of detached, semi-detached

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content that there are no incidents of direct and intrusive overlooking. Garden sizes varying according to dwelling type and these range from adequate to generous in size.

9.24 In considering the residential amenity of future occupiers of the site, perhaps the key issue is noise from the A47 trunk road. The applicant proposes to address this by constructing a 4m high barrier along most of the northern boundary of the site comprising a 2m high earth/grass bund with a 2m high fence above, and by constructing bungalows along the northern fringe of the development. The bund will absorb an amount of noise and the bungalows will be in the lee of the bund and benefit from its construction. It is proposed that planting will be installed along the top of the bund to screen the fence, which in addition to the bund, might otherwise have been seen as an austere and dominant feature within that part of the application site without the planting. The Council’s Environmental Health Officer has recommended the use of an appropriate condition which seeks to ensure that noise levels at residential properties comply with recognised noise criteria and it is considered that this along with the satisfactory nature of the bund and fence will result in an acceptable form of development in respect of noise and residential amenity.

9.25 On highway matters, the development will be served by a loop road with two points of access/egress onto/from Cumber Lane. Works are also proposed for Cumber Lane comprising widening of the junction with the A47 roundabout to ensure nil detriment, to extend the 30mph speed limit northward towards the A47 roundabout, for a vehicle activated 30mph sign to be provided to the south of the site, and for a footpath to be provided along the site frontage. In commenting on the application, the County Council (as Highway Authority) sought clarification on matters of detail on the layout of the site and nature of the proposed off-site works. This resulted in a revised layout plan and landscape masterplan being submitted and further comments are awaited from the County Council. Members will be updated on any comments received either in the Supplementary Schedule or verbally at Committee.

9.26 The Highways Agency has commented on the application from its position of interest in the satisfactory functioning of the A47 trunk road. On the basis of the information submitted with the Transport Assessment, it is satisfied that the A47 will operate satisfactorily both with and without development traffic and thus it has not raised any objections to the application.

9.27 Given that the area of the site exceeds 1 hectare, the applicants were required to submit a Flood Risk Assessment with the application. The site is within Flood Zone 1, where the risk of flooding is considered to be low, but the applicant was still required to demonstrate that the development would not increase the risk of flooding elsewhere. Following discussions with the Environment Agency and amendments to the Flood Risk Assessment, subject
of formal recreational facilities. In addition to this, the applicant is willing to provide a supplementary sum of £200,000 plus a capped sum of £50,000 towards the Parish Council's legal fees. The commuted sum is justified by Policies RL5 and RL7 of the Local Plan and by the Recreational Open Space SPD and is a benefit that can be taken into account in determining the application. The supplementary sum and contribution towards associated legal fees does not meet the CIL tests set out in paragraphs 6.4 and 9.40 of this report and so must not given any weight and not taken into account in deciding this application.

9.31 Although no weight can be given to the supplementary payment and contribution towards associated legal fees in deciding this application, Members may wish to consider whether these items will be secured if the site is allocated through the SA DPD and after the adoption of CIL later this year. The relevance of the SA DPD to this application and its early stage of preparation has already been discussed but in relation to this particular issue, if the site is allocated, it is considered that there will be limited incentive for the applicant to offer the supplementary payment and contribution towards legal fees. The impending adoption of CIL is also relevant as contributions towards providing off site open space will be included within CIL. In light of this, there are considered to be no grounds on which to delay any decision to grant planning permission at this time.

9.32 On 1 February 2013, a Tree Preservation Order was served that protects a number of trees along the north, east and southern boundaries of the site. This includes 14 individual trees and two separate groups of trees (each comprising 2 trees). The drawing of the layout of the site shows that three trees will need to be removed to facilitate accesses and visibility splays. Despite the issuing of the TPO, it is considered that the removal of three trees will not significantly affect the character and appearance of the area, particularly when an opportunity exists to mitigate the loss by planting new landscaping elsewhere along the site frontage. The Conservation Officer (Arboriculture & Landscape) has commented on the proximity of dwellings and garages to the southern boundary of the site and the need to provide more landscaping throughout the site and along significant routes and prominent positions. Officers are satisfied that matters of landscaping can be dealt with by way of an appropriate condition. The concerns raised on the position of dwellings and garages in relation to the southern boundary have been noted and the layout of the site has been adjusted such that these structures have been moved further away from the boundary. This is considered to be acceptable.

9.33 An ecological appraisal was submitted with the application. In commenting on the application, the District Ecologist noted that the appraisal is fit for purpose and that the main issues are reptiles found on site and the effect of the development on breeding bird habitats and bat foraging/commuting routes. He also stated that the inclusion of native planting, provision of habitats for wildlife, a community orchard, SUDS and green spaces is a commendable
One might speculate that the inference behind this is that anti-social behaviour will take place in this area. This area of open space is open and no structures are proposed for it that might otherwise provide visual obstructions or points of attraction. There will also be a degree of natural surveillance provided by two bedroom windows in the side elevation of the bungalow at Plot 97 and two first floor bedroom windows in the side elevation of the house at Plot 98. This is considered to be adequate. The second point is that the play area in the centre of the site is not needed as Brundall already has a play area. This rather misses the point that a development should be able to service itself and the fact that a new play area is being provided that presents opportunities for children who live on site to play on site should be welcomed.

9.39 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 to the development. These include heads of terms to cover contributions towards and/or agreements to provide:

- Affordable housing (amounting to 33% of the total number of units)
- On-site and off-site recreational provision and public open space (including maintenance provision)
- Supplementary payment towards off-site recreational provision
- Education
- Libraries
- Transport infrastructure (subject to County Council confirmation)
- Monitoring fees
- Travel plan (subject to County Council confirmation).

9.40 The Community Infrastructure Levy (CIL) Regulations 2010 require that planning benefits secured through Section 106 Agreements must meet the three tests set out at Regulation 122 if they are to be a reason for granting planning permission. These tests are that the benefits must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- Fairly and reasonably related in scale and kind to the development.

9.41 In this particular case, it is considered that the matters relating to affordable housing, on-site and off site recreation provision and public open space, education, libraries, transport infrastructure (subject to confirmation from the County Council), travel plan (subject to confirmation from the County Council) and monitoring fees meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the application.
• Monitoring fees

Conditions:

(1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.

(2) The development hereby permitted shall not be carried out otherwise than in accordance with the submitted plans and documents as follows:

Drawing number 6540 S01 – Site Location Plan – received on 19 November 2012

Drawing number 6540 SL01 Rev.R – Site Layout – received on 5 February 2013

Drawing number 6540MS01 Rev.A – Site Layout and Materials Schedule – received on 19 November 2012 insofar as it relates to the materials schedule only

Drawing number 6540 RS01 – Proposed Refuse Strategy Plan – received on 27 November 2012

Drawing number 6540 EL01 Rev.D – Proposed Front Elevations – received on 19 November 2012

Drawing number 6540 G01 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 G02 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 G03 – Proposed Garage Types – received on 19 November 2012

Drawing number 6540 01 – A88B & A81B House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 02 – P1098, C1160 and P767 House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 03 – P657, A83S, A85S and P1408 House Type Proposed Plans and Elevations – received on 19 November 2012

Drawing number 6540 04 – C1123 and C1585 House Type Proposed Plans and Elevations - received on 19 November 2012

Drawing number 6540 05 – S59H, S76H and S121H House Type Proposed Plans and Elevations – received on 19 November 2012
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate

- implementation programme.

The works shall then take place in accordance with the approved details.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

(5) Occupation of the 100th dwelling on site shall not take place until the play equipment and areas of public open space shown on the attached hatched plan have been provided. The remaining public open space adjacent to the eastern boundary of the site shall be provided upon occupation of the 150th dwelling.

(6) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 – Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

(a) a plan that shows the position, crown spread and Root Protection Area (para 4.6.1) of every retained tree on site and on neighbouring ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

(b) the details of each retained tree as required at para 4.4.2.5 in a separate schedule.

(c) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).

(d) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 para 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
(10) No development shall take place until details of water efficiency measures to comply with the Code for Sustainable Homes Level 4 for water have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

(11) At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary of the National Planning Policy Framework 2012). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before works commences on site. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

(12) None of the dwellings shall be occupied until the development hereby permitted has incorporated the provision of water hydrants for the purposes of fire fighting.

(13) No development shall take place until a detailed lighting strategy for the development has been submitted to and approved by the Local Planning Authority. The strategy shall include details of the lighting to be used during the construction and operational phases of the development. The strategy shall then be implemented in accordance with the approved details.

(14) A surface water drainage scheme incorporating sustainable drainage principals shall be implemented and completed before any dwelling is first occupied. The said scheme shall be implemented and completed in accordance with the Flood Risk Assessment and associated appendices (A to G inclusive) undertaken by ASD Consultants and received on 19 November 2012, the letter from ASD Engineering (referenced 1107/110113/EA/001) to the Environment Agency dated 11 January 2013 and revised Microdrainage calculations, and subject to any changes required by Anglian Water or the adopting SUDS body in order to secure adoption. The said scheme will include the following requirements:

- It shall ensure that surface water outfall into the Anglian Water surface water sewer does not exceed 14 l/s.
- It shall ensure that storage shall be provided on the development site for the volume of surface water produced up to the 1% annual probability of occurrence rainfall event (including allowances for climate change as stated in Table 5 of NPPF Technical Guidance).
- It shall ensure that the depths of surface water flooding on the access roads allow safe access and egress for the future inhabitants and will not flood any buildings or flow offsite.

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The clearance of any shrubs and trees that form breeding bird habitat should avoid the breeding season; March to July inclusive. If clearance during this period is unavoidable it should be preceded by an inspection of all vegetation by an ornithologist, and should indications of nesting be noted, a safeguarding zone of radius 10m shall be erected around each nest site until the young have fledged.

Works requiring the removal of boundary vegetation (including grass/ruderal) should be preceded by management work to ensure reptiles are able to safely leave. Management work should only take place in warm weather (on sunny days with light/no wind or rain and temperatures ideally above 15°C) during the period April to October inclusive, and following an initial inspection by an ecologist. Directional strimming shall be employed to reduce the height in stages to ground level, and the area should then be left for a period of 24 hours to provide sufficient time for any reptiles to disperse. Cut material should be removed and relocated off site.

Highways conditions to be inserted/reported when available.

Reasons:

1. The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure the satisfactory development of the site in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

3. To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

4. To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.

5. In order to secure a satisfactory form of development in accordance with Policies GS3 and GS4 of the Broadland District Local Plan (Replacement) 2006.

6. To avoid damage to health of existing trees and hedgerows in accordance with Policies GS3 and ENV5 of the Broadland District Local Plan (Replacement) 2006.

7. To ensure the satisfactory development of the site in accordance with Policy GS3 of the Broadland District Local Plan (Replacement) 2006.
To adequately protect any protected species that may be present in accordance with Policies GS3 and ENV5 of the Broadland District Local Plan (Replacement) 2006.

Reasons to be inserted when available.

Informatives:

1. The site is subject to a related agreement under Section 106 of the Town And Country Planning Act 1990.

2. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their telephone number is 01603 430100 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

Reasons for Decision:

The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular, regard must be given to whether the proposal accords with Policies 1, 2, 3, 4, 6, 7, 8, 9, 14 and 18 of the Joint Core Strategy and Policies GS1, GS3, GS4, ENV2, ENV3, ENV5, ENV20, ENV23, HOU1, HOU6, HOU7, TRA2, TRA3, TRA4, TRA8, TRA14, RL5, RL7 and CS14 of the Broadland District Local Plan (Replacement) 2006. The Parking Standards and Recreational Open Space Supplementary Planning Documents are also relevant as is the National Planning Policy Framework (NPPF), The Planning System: General Principles, Written Ministerial Statement for Growth (March 2011) and Community Infrastructure Levy Regulations.

The application site is outside but adjacent to the settlement limit that has been defined for Brundall 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 Brundall and Policy HOU1 explains that 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. The application is therefore 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).
Policy 14 of the JCS identifies Brundall as a key service centre within the Norwich Policy Area (NPA) capable of accommodating a minimum of 50 dwellings. However, as the settlement is located within the NPA, it may be considered for additional development to help meet the total housing provision target.

It is acknowledged that there is not a supply of deliverable sites sufficient to provide five years housing supply in the Norwich Policy Area as required by Paragraph 47 of the NPPF. Paragraph 49 of the NPPF sets out that relevant policies for the supply of housing should not be considered up to date if a five year supply of deliverable housing sites cannot be demonstrated. In this regard, Policy HOU1 of the Local Plan must be considered out of date. The contribution that this proposal would make towards meeting the need for housing in a reasonably sustainable location for new development in the NPA would be a measurable benefit, helping to meet housing targets while also increasing the amount of affordable housing available and the choice of housing. Regard has also been given to paragraph 14 of the NPPF in reaching this view.

Other potential benefits associated with the development including the potential employment opportunities that works at the site will generate, there being more residents to support existing services and facilities, contributions to improve formal recreation provision within the village and that the application benefits from the support of the Parish Council. For these reasons and those given in the paragraph above, it is considered that the application will not result in demonstrable adverse impacts that will outweigh the benefits.

As this planning application has been submitted in advance of the Site Allocations DPD being adopted, its consideration is premature. However, given the early stage of preparation at which the Site Allocations DPD is at and that it will not be adopted until late-2014 at the earliest, it is considered that a refusal cannot be justified on these grounds alone. Another site for 50 dwellings has been proposed elsewhere in Brundall and it is acknowledged that in approving this planning application in advance of the Site Allocations DPD, it may pre-empt the consideration of the alternative site. However, it is considered that the benefits associated with this application outweigh the fact this granting planning permission may prejudice the consideration of another smaller site.

Despite the concerns of the Local Planning Authority’s Conservation Officer (Design), the layout, scale and design of the development are considered to be acceptable and strike the right balance between using land efficiently and taking account of the form and character of the surrounding area.

Given that views of the site from public vantage points are generally localised, it is considered that any visual impact will be local and that the development will have a neutral impact on the character and appearance of the wider area.

It is considered that appropriate regard has been given to the layout of the site, the type and position of properties throughout the site, the position of windows and noise

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mitigation from the A47 trunk road. In taking account of these items, it is considered that the development will have a neutral impact on the residential amenity of existing residents to the south and east and that future residents will benefit from appropriate levels of amenity.

Insert summarised comments from NCC Highways when received.

The Highways Agency not raised any objections to the application.

Subject to the use of appropriate conditions, Anglian Water and the Environment Agency have not objected to the application on the grounds of flood risk.

Informal open space will be provided in four areas at the site and an equipped play area will be provided as part of one of these areas in a roughly central location within the site. The play area and amount and type of informal open space being proposed is considered to be appropriate for a development of this scale and if delivered and managed in the fashion being proposed, it is also considered that these spaces will be beneficial to residents.

In addition to the on-site informal open space and equipped children's play area, the applicant is prepared to contribute towards providing formal recreation provision off site in accordance with the requirements of Policies RL5 and RL7 of the Broadland District Local Plan (Replacement) and the Recreational Open Space SPD. The supplementary amount on offer to assist the Parish Council in its aspirations for providing recreation space in the village has been given no weight in deciding this application as it does not meet the three Community Infrastructure Levy tests.

A Tree Preservation Order exists at the site that protects a number of trees around the boundaries. Despite this, the removal of three trees to allow for the vehicular accesses into the site from Cucumber Lane is not considered to significantly affect the character and appearance of the area, particularly when an opportunity exists to mitigate the loss by planting new landscaping elsewhere along the site frontage. Matters relating to trees and landscaping have been dealt with by way of an appropriate condition.

An ecological appraisal was submitted with the application and appropriate conditions have been used to deal with ecological mitigation and enhancement.

Norfolk County Council's Historic Environment Service has recommended the use of an appropriate condition to deal with further archaeological matters.

Matters relating to affordable housing, on and off-site recreation and open space provision, education and library provision and improvements to transport infrastructure will be the subject of a Section 106 Agreement.
Despite a small number of objections and concerns raised by local residents and the fact that the site is outside of a defined settlement limit, it is considered that this application will not have a detrimental impact on the character and appearance of the area, residential amenity or on heritage assets. Subject to the use of appropriate conditions, it is also considered that it will not result in increased flood risk.

Account must also be given to other material considerations: Brundall is a reasonably sustainable location for new development; there is not a five year supply of land for housing in the NPA and this development will contribute towards the shortfall in supply while also providing affordable housing; contributions towards off-site recreational space in accordance with the Local Planning Authority’s Recreational Open Space SPD will meet the policy requirement and arguably, will ultimately result in a wider community benefit. It is considered that all of these items are sufficient enough to justify granting planning permission for the application.

The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.