Contents

1 INTRODUCTION ........................................................................... 2

2 DESCRIPTION OF THE SITE, SURROUNDING AREA AND DEVELOPMENT .......... 3

3 RELEVANT PLANNING POLICY CONTEXT .............................................. 3

4 THE APPELLANTS CASE .................................................................... 6

5 PLANNING POLICY APPRAISAL .......................................................... 10

6 OVERALL PLANNING BALANCE .......................................................... 11

7 CONCLUSION ................................................................................. 12

APPENDICES

APPENDIX 1 - Broadland District Council Committee Report and Minutes
APPENDIX 2 - Wymondham Rugby Report APP/L2630/W/15/3007004
APPENDIX 3 - Appeal Decision APP/V0510/17/3186785
APPENDIX 4 - Planning Decision 20161588
Introduction

1.1 This statement is submitted in support of an appeal against refusal of an outline planning permission by Broadland Council (application ref: 20172032) for the “Residential Development of 8 no. dwellings (Outline) (All Matters Reserved)”.

1.2 This statement has been prepared on behalf of the appellants, PPAP Investments Ltd by Jane Crichton (MRTPI) of Lanpro Services.

1.3 The following documents and drawings were originally submitted with the application and are the information which the decision was made on:

- Application Form and necessary certificates;
- Design and Access Statement;
- Location Plan 008
- Sketch Development Plan 001 Rev D

1.4 The above documents and drawings are submitted in conjunction with this appeal. The application was validated on 21st November 2017.

1.5 The application was recommended for approval by the planning officer to be determined at the 31st January 2018 planning committee. Members resolved to approve the application subject to the satisfactory completion of a Section 106 Agreement relating to the Heads of Terms (open space requirements). The Annual Monitoring Report (AMR) for the Joint Core Strategy for Broadland, Norwich and South Norfolk was published on the 14th March 2018. Following the publication of the AMR the Council have asserted that this represents “significant new evidence” and that there is an 8.08 year housing land supply against the June 2017 Central Norfolk Strategic Housing Market Assessment (SHMA) of Objectively Assessed Need (OAN) for housing.

1.6 The application was then taken back to the 28th March 2018 committee with a recommendation of approval. The application was then refused by members contrary to officer recommendation and a decision notice was issued on the 29th March 2018. A copy of all the committee reports and minutes can be found in Appendix 1. Whilst not setting specific reasons, the decision letter effectively sets out three areas for refusal which are related to the development:

- Significant impact and encroachment on the open rural landscape character of the site and its contribution to the wider area.
- Not representing sustainable development by virtue of the environmental harm to the open character of the landscape setting of the village and wider rural landscape.
- Reduced benefits of housing delivery due to the weight given to the SHMA.

1.7 With regard to housing delivery, whilst the Council appear to have accepted that they cannot deliver a five year housing land supply against the adopted Joint Core Strategy (JCS) targets for the Norwich Policy Area (NPA) (which is the accepted area to assess land supply in this location) the Council consider that the SHMA figures should diminish the weight to be attached to the benefits of increased housing land supply. Given the lack of five year housing land supply in the NPA the benefits of the proposed development should be considered in the context of the “tilted balance” under paragraph 14 of the Framework.

1.8 For the reasons set out in this statement of case, it is the appellant’s case that the Council’s interpretation of the effect of the SHMA is flawed, that boosting housing in the NPA should still be given significant weight as a planning benefit and that in any event the proposed development would not result in any harm which would “significantly and demonstrably” outweigh its benefits.
2 Description of the site, surrounding area and development

2.1 The site covers an area of 0.69 hectare and is located on the western side of Dawsons Lane which is to the north of Blofield Corner Road. The main part of the settlement of Blofield Heath is located to the east. The site is currently an agricultural field. Dawson’s Lane is not an adopted public highway and is in private ownership.

2.2 The immediate context of the appeal site is residential. To the south of the site are bungalows which front onto Blofield Corner Road and back onto the appeal site with their private gardens. To the north are two storey dwellings with sporadic larger dwellings located further north along Dawson’s Lane.

2.3 The site has generally flat topography with hedging along the northern and part of the eastern boundary. To the east of Dawsons Lane is Skedge Way which contains solely bungalows and is a cul-de-sac development. The southern boundary is made up of a mixture of close boarded fencing and hedging/vegetation.

2.4 The site is not covered by any national landscape designations. The site falls within flood zone 1 in accordance with the Environment Agency flood risk maps.

3 Relevant Planning Policy Context

3.1 Under Section 38 (6) of The Planning and Compulsory Purchase Act 2004 (The 2004 Act), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise. The NPPF is a significant material consideration which will be assessed in this statement. We have not addressed the draft NPPF at this stage as there is still some uncertainty on its final form, but should this be published during the determination of this appeal, further representations will be prepared and submitted.

3.2 It is the appellants case that the development is compliant with the relevant development plan policies which will be demonstrated in the following sections. This was also the opinion of the planning officer as the application was recommended for approval. It has been established recently through the recent case of Dignity Funerals Limited v Breckland District Council [2017] EWHC 1492 (Admin) which confirmed that “it cannot be said that a proposal does not accord with the development plan simply because it conflicts with one of the relevant policies in the plan” (paragraph 67) and that a decision maker is entitled to come to the conclusion that a development plan is complied with as a whole despite a conflict with a particular policy or policies.

3.3 This chapter identifies the national and local planning policies that provide the framework in which this appeal should be considered.

National Planning Policy and Guidance

3.4 The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing 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 (paragraph 49). The NPPF requires planning permission to be granted in accordance with the presumption in favour of sustainable development unless in line with paragraph 14:

“Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;”

3.5 At paragraph 17 the NPPF sets out a series of core planning principles which underpin plan-making and decision-taking. Inter alia, it encourages:

• Planning is to not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;

June 2018
• The proactive support for sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places; and
• High quality design and a good quality of amenity.

3.6 Paragraph 47 charges Local Planning Authorities (LPA’s) to boost significantly the supply of housing and in doing so they should ensure that their Local Plan meets the full objectively assessed needs for housing and identify and update a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that 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 Development Plan

3.7 The Development Plan consists of the following documents:

3.8 The Joint Core Strategy (JCS) was adopted in March 2011 with amendments adopted in January 2014 and sets out the spatial vision for development in Broadland, Norwich and South Norfolk up to 2026. The Joint Core Strategy provides co-ordinated strategic planning guidance for delivering growth in the Broadland, Norwich and South Norfolk areas.

3.8.1 The amendments in 2014 reviewed the housing numbers and other matters relating to housing delivery in Broadland District.

3.9 The policies which are considered of particular relevance to this proposed development are:
• Policy 1 Addressing climate change and protecting environmental assets
• Policy 2 Promoting good design
• Policy 4 Housing Delivery
• Policy 9 Strategic growth in the NPA
• Policy 15 Service Villages
• Policy 17 Smaller rural communities and the countryside
• Policy 20 Implementation
• Policy 21 Implementation of proposals in the Broadland part of the Norwich Policy Area
• Policy 22 Action to ensure that delivery of housing land in the Broadland part of the Norwich Policy Area

3.10 Broadland District Council Development Management (DPD) 2015

3.11 The policies relevant to the appeal proposals are:
• Policy GC1 Presumption in favour of sustainable development
• Policy GC2 Location of new development
• Policy GC4 Design
• Policy EN1 Biodiversity and Habitats
• Policy EN2 Landscape
3.11.1 Blofield Parish Neighbourhood Plan (BPNP) 2016

3.11.2 The relevant policies to the proposals subject to this appeal are:

- Policy HOU1 Local housing needs
- Policy HOU4 Rural image heights and massing
- Policy HOU5 Parking for new developments
- Policy ENV2 Soft site boundaries and trees
- Policy ENV3 Drainage
- Policy ENV4 Agricultural Land
- Policy TRA1 Local traffic generation
- Policy TRA3 Walking and cycling

3.12 The weight to be given to Neighbourhood Plan policies has been subject to a recent challenge in the Courts and a decision was handed down on the 12th January 2018. This found that the Written Ministerial Statement (WMS) from December 2016 still stands. The WMS sets out that the following considerations need to be met for the WMS to apply:

- This written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
- the neighbourhood plan allocates sites for housing; and
- the local planning authority can demonstrate a three-year supply of deliverable housing sites

3.13 The WMS states that all of the criteria must be met in order for the Neighbourhood Plan policies for the supply of housing to not be considered ‘out of date’. Therefore, whilst the WMS is less than 2 years old and the NPA can demonstrate a 4.62 years supply, as Blofield Neighbourhood Plan does not allocate any sites for housing the policies for the supply of housing in the Neighbourhood Plan should be considered out of date, in accordance with the WMS.

3.13.1 This approach has been followed taken by an Inspector recently on a site in Yaxham, Norfolk (ref: APP/F2605/W/18/319045) under paragraph 7 which states “However, as the YNP does not allocate sites for housing, it would not comply with all three criteria as required by the WMS and although only made in June 2017, its policies for the supply of housing are deemed to be out-of-date in accordance with paragraph 49 of the Framework.”

3.14 A full policy appraisal will be undertaken in Section 5.0.

June 2018
4 The Appellants Case

4.1 The application, as set out on the decision notice, was refused on the grounds that due to the site being located outside of the settlement limit the harm caused would not be outweighed by the benefits that the development would bring.

4.2 The appellant’s case will focus on:

- Principle of the development in this location;
- Landscape Impact; and
- The Planning Balance

4.3 Principle of the development

4.3.1 Under Section 38(6) of The Planning and Compulsory Purchase Act 2004 (‘The 2004 Act’), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise. The adopted Development Plan in Broadland District comprises the documents which are noted in the previous section.

4.3.2 The site is located outside but adjacent to the settlement limit of Blofield Heath. Blofield Heath is designated as a ‘service village’ under JCS policy 15 which states that small scale housing development is acceptable. The Broadland DPD allows for development outside of settlement limits in policy GC1 and JCS policy 21 unless material considerations indicate otherwise, taking into account any adverse impact of granting permission would significantly and demonstrably outweigh the benefits or if there are specific policies in the Framework which indicate that development should be restricted. Both policies are in line with paragraph 14 of the NPPF.

4.3.3 The NPPF requires local planning authorities to positively seek opportunities to meet the development needs of their area. Paragraph 47 sets out an obligation on local planning authorities to identify a five-year supply of deliverable sites and adds the requirement to provide an additional buffer of 5%. Local planning authorities with a ‘record of persistent under delivery’ of housing should increase the buffer to 20%.

4.3.4 The latest Annual Monitoring Report 2016-17 (AMR) for Broadland, Norwich and South Norfolk (February 2018) states that the NPA can only demonstrate a 4.61 years housing land supply against JCS targets. This year for the first time, the AMR also notes delivery against the SHMA assessment of OAN, which according to the Councils’ analysis shows a surplus of supply (8.08 years or 6.82 years supply in the NPA with and without City Deal housing numbers).

4.3.5 In the decision notice the LPA do not say that they have a 5 year housing land supply categorically, and in every committee report since the publication of the AMR and within the AMR they have accepted that they do not have a 5 year housing land supply. Instead they are saying, as stated in this refusing, that “diminished weight can be applied to the benefits of housing delivery in the context of the Strategic Housing Market Assessment which was revised in 2017.” Following the publication of the AMR the Council have asserted that this represents “significant new evidence” and that there is an 8.08 year housing land supply against the June 2017 Central Norfolk Strategic Housing Market Assessment (SHMA) of Objectively Assessed Need (OAN) for housing.

4.3.6 The position that the Council are taking is placing reduced weight on the housing figures which are stated in the JCS which forms part of the adopted Development Plan. The appellants case is that the JCS is part of the adopted Development Plan, and therefore constitutes the figures that should be used.

4.3.7 The AMR claims that the SHMA is a piece of “significant new evidence which was published in January 2016 and then updated in July 2017.” If this evidence was so significant then it seems strange that this wasn’t used in the preparation of the 2016/2017 AMR which was published in January 2017. In fact it is stated under paragraph 34 of Appendix A of the AMR, that the SHMA
figures were not going to be used to calculate the 5 year housing land supply as they were untested:

"Whilst the SHMA represents the most up-to-date assessment of OAN for the area, the outcomes of the SHMA have not yet been tested through the Local Plan process, which reduces the weight which can be given to them at this point in time. This was reflected by the Inspector at the Wymondham RFC Appeal, who noted that there was no certainty that a future plan would adopt a lower level of growth than the JCS, concluding that she could not afford significance to the potential for change at this stage."

4.3.8 This point is acknowledged within the proof of evidence by Broadland District Council for a recent appeal at Racecourse Plantation (ref: (APP/K2610/W/3188235). The evidence states in paragraph 3.13 it acknowledges that "whilst not completely untested, the Central Norfolk SHMA has not been tested through the rigour of a local plan examination process."

4.3.9 Within the aforementioned appeal at Wymondham Rugby Club (please see Appendix 2) the Inspector also states in relation to the use of the SHMA figures:

"Whilst the Council makes much of the new SHMA, which includes reviewing the contribution of student housing to the housing land supply, it has not been tested. Nor has the Council’s prediction that a lower level of development will be sought by the Greater Norwich Authorities at the end of the current five year period or that such an approach would be supported. As such, I do not afford significance to the potential for change at this stage."

4.3.10 The JCS was adopted with amendments in January 2014 and due to be reviewed in January 2019. The 5 year period has still not been reached, so the conclusions reached by the Inspector above still stand until January 2019.

4.3.11 This approach by Inspectors is further supported through the decision on appeal APP/V0510/17/3186785 (please see Appendix 3). The Inspector notes in relation to the Council’s reliance on ONS figures and a draft ‘Standard Methodology’ in paragraph 42:

"I acknowledge that both the OAN 2016 and ‘Standard Methodology’ are of some speculative interest... They have not been tested through a local plan examination. In such circumstances, the housing requirement figure provided within the recently adopted development plan is not out of date for the purposes of this appeal and should be the starting point for determining whether the Council is able to demonstrate a five year supply of housing land."

4.3.12 The importance that the AMR places on the SHMA as a “new significant piece of evidence” is further questioned due to it not being used within the recent Greater Norwich Local Plan consultation which took place between January 2018-March 2018. The housing requirement proposed is based upon the draft Government OAN methodology and not the SHMA figures (Para 4.17 of the Growth Options Document) states:

"It is reasonable to base this local plan consultation on the draft methodology"

4.3.13 Again, this is a point which the Inspector addresses in the appeal decision which can be found in Appendix 3 where he states in paragraph 41:

"whilst reliance is placed upon the 2016 OAN, the Council itself is not using it to formulate the housing requirement figure within the emerging local plan. If it is evidence of such significance that requires a radical deviation from a housing requirement figure within an adopted development plan from less than three years ago which was publicly examined and tested, it is strange that it does not form the substantive basis on which to plan for the next local plan period."

4.3.14 One significant addition that was made to the JCS when it was adopted in January 2014 which the Inspector requested at the legal challenge was to allow the flexibility for review to ensure delivery of housing land in the Broadland part of the NPA takes place. This became policy 22 of the JCS. This review has never taken place in the 4 years since the adoption. The policy states that "if any Monitoring Report produced after two full years from the adopting of this part of the
JCS Local Plan demonstrates that there is a significant shortfall (as defined below) in the 5 year supply of housing land (Plus the additional buffer” required in current planning policy) affecting the Broadland part of the Norwich Policy Area (NPA), then the Councils will take the course of actions specified below to address the shortfall.

4.3.15 The JCS AMR which was produced in January 2017 was over two full years following the adoption of that policy stated in the Broadland part of the NPA that there was a 4.55 years supply (with a 20% buffer). There was 526 unit deficit. In the previous AMR published on the 1st December 2015, the Broadland NPA was only able to demonstrate 3.11 years supply (with a 20% buffer). These figures show that the Broadland part of the NPA have consistently under delivered housing.

4.3.16 It is the appellants position that the starting point for 5 year housing land supply position for the NPA should be the JCS which is part of the adopted development plan and not the untested figures of the SHMA. We do not consider the SHMA to be “significant new evidence” for the reasons above and cannot be apportioned weight for the purposes of the appeal. As a result, the appellants case is that full weight should be given to the social benefits of boosting housing supply in the NPA. In the event that the SHMA is given weight as “significant new evidence” this means that the housing requirement in the adopted JCS should be considered “out-of-date” and in accordance with paragraph 14 of the NPPF the tilted balance is engaged in any event.

4.3.17 The NPA has had a persistent under delivery of housing for several years and in particular the Broadland part of the NPA has continuously under delivered to the extent the JCS Inspector requested a specific policy (Policy 22) to seek to address this through a short focused review to identify and allocate “immediately deliverable housing land”, which has never taken place. The LPA should be seeking to boost the supply of housing through sites which are considered sustainable, which this site has been found to be by officers twice.

4.4 Landscape Impact

4.4.1 The application was recommended for approval twice by officers and had a resolution to approve by the committee on the 31st January 2018 based on their assessment that there would not be any significant harm to the landscape character or its contribution to the wider area.

4.4.2 In paragraph 9.14 of the January committee report the officer states:

“However, the site is featureless to the extent that it does not make a significant contribution to the character of the wider area.”

4.4.3 In paragraph 3.8 of the March committee report the officer states:

“In terms of the environmental role, no harms are identified that cannot be mitigated through condition and on balance it is considered that the scheme fulfils this requirement.”

4.4.4 The officer’s assessment which was undertaken in March was made even with the LPA’s view that reduced weight should be given to the benefit of delivering housing.

4.4.5 In the decision at the March committee it was decided by members that the impact of the development on the landscape character and the impact it would have on the wider area was so severe it meant the application should be refused.

4.4.6 Given the weight that the LPA have put on this impact in their determination, the appellant has instructed a Chartered Landscape Architect (Liz Lake Associates) to prepare a Landscape and Visual Issues Statement (LVIS) to accompany this appeal.

4.4.7 The LVIS identifies the existing baseline conditions and context, identifies the landscape and visual issues applicable to the site and assesses the principal landscape and visual effects of the proposed development. It finds that:

• the proposed dwellings will not appear out of scale or character with other similar dwellings in the village location;
• the development will reflect the similar grain and settlement pattern of the surroundings;

• overall the visual effects of the development will be highly localised to Dawson's Lane and the adjacent nearby properties;

• the proposed development will have a very limited effect on the surrounding landscape and visual amenity of the site and surrounding landscape or wider landscape.

4.4.8 Policy GC2 requires that development outside the defined settlement limits can be permitted if they do not result in significant adverse impact. Policy GC4 requires development to pay regard to the environment, character and appearance of the area. Regarding both policies, the professional planning officer considered that both policies had been met hence their recommendations of approval.

4.4.9 The site is not statutorily protected, in the form of an Area of Outstanding Natural Beauty or Green Belt, nor is it locally protected as an area of landscape value. The site lies within the Blofield Tributary Farmland (LCAD4) within the Broadland Landscape Character Assessment (September 2013) which states that there are:

“few notable features to provide interest or strengthen its visual fabric, Essentially, it is a simple working landscape that works well functionally, and this is the essence of its character”

“Most of the settlements located in the western parts of the area have been engulfed by the rapid expansion in modern suburban housing. These developments have for the most part remained contained as individual linear or nucleated developments, such as Blofield. There is often an abrupt transition between the housing developments and the surrounding agricultural land”.

4.4.10 It is acknowledged that any development on a site which is currently an agricultural field will inevitably lead to an erosion of this part of the open countryside but any harm would be seen against a backdrop of residential development which exists on three sides of the appeal site. The LVIS identifies that this harm is direct but will have a limited permanent effect on the local landscape character of the site itself but this would not extend into the wider area.

4.4.11 The decision notice states that the development would extend beyond the “contained linear development that forms the transition between existing housing and the surrounding agricultural land”. Immediately east of Dawson’s Lane is Skedge Way which extends beyond the ‘linear’ form of development fronting Blofield Corner Road which we assume the LPA are referring to. The appeal site’s northern boundary extends no further northwards than Skedge Way does. As you move eastwards along Blofield Corner Road there are various forms of development that extend beyond the linear frontage dwellings, this includes Borton Road and private tracks which have dwellings off them.

4.4.12 The one housing allocation (BLO5) in Blofield Heath is located to the east of Skedge Way and this extends again beyond the ‘linear’ frontage development of Blofield Corner Road and in fact extends further northwards than Skedge Way and the appeal site into open countryside.

4.4.13 It should also be noted that Broadland District Council approved an outline application for 4 dwellings at their 25th April committee which is located off Woodbastwick Road. This application was recommended for approval and members resolved “that if the proposed dwellings were restricted to single storey then there would be no adverse impact on the character and appearance of the area” (please see Appendix 4). The appellant would argue that the context of that site is no different to the appeal site and in fact represents a much greater intrusion into the countryside than the appeal site. That site only has built development on its eastern boundary and even that is separated from the site by large gardens.

4.4.14 The development would not appear out of character with the existing form of development in the area and would continue the settlement pattern which has been established by the allocation of BLO5.
Both sites referenced above are shown marked within Figure 4 of the LVIS for reference.

The proposed density of the development is low at 12 dwellings per hectare which would, as shown in the illustrative plan, allow the dwellings to have generous plots and significant separation distances between the proposed and existing dwellings which front Blofield Corner Road. This density would also allow the opportunity for soft landscaping and any planting which may be considered necessary to mitigate any impacts.

Please refer to the LVIS for the full assessment of the landscape and visual impacts.

The appellant asserts that any harm caused to the landscape is not significant or demonstrable. This was also the view of the LPA in both of their recommendations.

5 Planning Policy Appraisal

5.1 In addition to the planning policies that have been addressed within section 4.0, this section will review the other relevant policies which are identified in section 3.0.

5.2 Drainage

5.2.1 The application was recommended for approval with a proposed condition requiring details on the surface water drainage to be submitted as part of the reserved matters. At both planning committees, members of the public who spoke mentioned their concerns over the perceived flood risk due to surface water risk. The appellant therefore instructed a Surface Water Drainage Strategy to be prepared to accompany this appeal.

5.2.2 Policy CSU5 requires that developments should incorporate mitigation measures to deal with the surface water and should minimise the risk of flooding. BPNP policy ENV3 on drainage reflects the Local Plan policy and also goes on to identify localised flooding sites (the appeal site is not located within one).

5.2.3 The Drainage Strategy identifies that the site isn't currently served by any form of surface water drainage and rainfall run-off is naturally directed to local watercourses. The drainage strategy works through the hierarchy of drainage solutions. The strategy is supported by infiltration testing which shows poor infiltration capacity within the subsoil, therefore the proposed strategy is to allow roof water run-off into the received drainage system, use of permeable paving for private road and driveways, the receiving drainage system will discharge into the ditch network to the north-west via a detention basin, reinstatement of a ditch along Dawson’s Lane and the adoptable highway will drain into the local watercourse system via a tank sewer and flow control device.

5.3 Access

5.3.1 The application was recommended for approval with no objections from the highway authority with conditions imposed.

5.3.2 JCS policy 6 covers access and transportation and requires developments to be close to essential services and facilities to encourage walking and cycling.

5.3.3 Policy TS3 on highway safety states that development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network. As the highway authority did not raise any objection and the LPA recommended approval, the development is not considered to cause any adverse impact on highway safety.

5.3.4 BPNP policy TRA3 seeks to encourage walking and cycling as a way of accessing services. As detailed above neither the highway authority or the LPA have raised any objections in relation to access to services.

5.3.5 The development is proposing access from Dawson’s Lane which is currently an unsurfaced private track which currently serves four dwellings. The proposals include widening of the lane to
allow two cars to pass. There is also a proposal for a new footway which would run from the corner of Dawson's Lane/Blofield Corner Road to the existing footway to the east of the appeal site. All of these highway improvements would be within land in the appellants control or the highway authority.

5.3.6 It is therefore, considered that the proposals meet polices TS3, TRA3 and JCS policy 6.

5.4 Planning Obligations

5.4.1 The appellant was in the process of preparing the required Section 106 agreement with the LPA when it was called back to committee on the 28th March. Since the refusal they have been continuing this and a draft copy is submitted with this appeal. The completed and signed Section 106 will be sent to the Inspector within the required timescale (within 7 weeks of the start date).

5.4.2 The Section 106 will cover the off-site open space contributions which is required in line with policies RL1 and EN3.

5.5 Layout, Design and Scale

5.5.1 The application was submitted in outline with all matters reserved except for access, therefore any policies which relate to these matters will be dealt with at the relevant reserved matters stage.

6 Overall Planning Balance

6.1 The decision should be taken in accordance with section 38(6) which requires that the development be determined in light of the development plan unless material considerations indicate otherwise. As the LPA are not claiming that they have a 5 year housing land supply and instead that diminished weight should be given to the delivery of housing, the tilted balance of paragraph 14 of the NPPF automatically applies.

Benefits

6.1.1 As set out in section 4.3, the Council confirms that they do not have a 5 year housing land supply, the appellant asserts that the calculation of the 5 year housing land supply should be based on the JCS adopted development plan figure and not the untested SHMA figure, therefore the delivery of housing is significant and should not be given reduced weight. As a small site it can be deliverable in the short term which will provide a contribution to the land supply position in a shorter time frame than a large strategic site.

6.1.2 In any event, land supply is a dynamic measure and therefore it is important to increase resilience in the housing land supply figures when suitable and sustainable development sites are put forward for development.

6.1.3 The scheme will provide a new footpath link along Blofield Corner Road which will be of benefit to the new and existing local residents in this vicinity.

6.1.4 The Section 106 open space contributions will allow improvement to an existing open space/play space area in Blofield Heath which will be beneficial to the area.

6.1.5 There will be employment opportunities and economic benefits from the construction phase of the site to the local area and to the supply chain.

6.1.6 The additional population will bring with it additional spending in the local economy and generate Council Tax receipts, New Homes Bonus and CIL. The new residents will provide support to social facilities which are within the area.
Harm

6.1.7 The proposed development will lead to a change in character in this part of Blofield Heath as a result of the construction of built form on an existing agricultural field. However, as concluded in the LVIS, any such impact shall be limited and localised to the development footprint and would not extend into the wider area of the Tributary Farmland or the adjacent valleys to the north or south. In this case it is clear that any potentially harmful impact can be mitigated by careful design and landscaping determined at the reserved matters stage.

6.1.8 In any event, if the Inspector found that there was harm caused to the landscape, it is clear that this harm is not significant or demonstrable and does not outweigh the benefits.

Balance

6.1.9 In line with paragraph 14 of the NPPF planning permission must be granted unless any adverse impacts significantly and demonstrably outweigh the benefits.

6.1.10 Through the resolution to approve in January 2018 and the recommendation for approval of the application in March 2018, the identified harms were not considered by the LPA to outweigh the benefits that the development would deliver even in the situation of diminished weight given to the delivery of new housing. For the reasons set out above we consider that full weight should be given to the social benefit of boosting housing supply in the NPA in the absence of a 5YHLS.

6.1.11 It has been demonstrated above that any impacts on the landscape are limited and localised and through careful design and landscaping proposals to be secured through the reserved matters stage, necessary mitigation to address these can be delivered. As a result, any perceived landscape impact is not significantly or demonstrably outweighed by the significant benefits which will be brought by the delivery of housing in the NPA which has persistently under delivered for several years and the other benefits set out above.

Conclusion

7.1 This Statement of Case has demonstrated a robust case for planning permission to be slanted for the proposed development and that the Councils reasons for refusal are unjustified.

7.2 The proposal will provide a number of significant benefits and these are considered to outweigh any conflict with the development plan pursuant to section 38 (6) of the Planning and Compulsory Purchase Act 2004.

7.3 The site is located within an area which cannot demonstrate a 5 year housing land supply based on the adopted development plan, which should be the starting point, and therefore determination should be made in accordance with the presumption in favour of sustainable development. For the reasons set out above, it is not accepted that the OAN figures provided in the SHMA should reduce the weight that may be given to the benefits of boosting housing land supply. The Council have twice assessed that the development and site is considered to be sustainable.

7.4 It is clear for the above reasons that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits, and the acute need to provide new housing in the District. Further, there are no footnote 9 policies that restrict development.

7.5 The proposed development accords wholly with the Development Plan and specifically those policies therein which promote the delivery of sustainable development.

7.6 No further material considerations have been identified which preclude the development of this site for the proposed development. Accordingly, the appellant requests that the Inspector grants planning permission.
Appendix 1

Broadland District Council Committee Report and Minutes
<table>
<thead>
<tr>
<th>App'n No</th>
<th>Location</th>
<th>Description of Development</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>20170095</td>
<td>Land South of Broadland Gate, Postwick</td>
<td>Full planning application for the proposed development of 1 no: petrol filling station, 2 no: drive-through restaurants and 24 space HGV parking, together with various infrastructure and landscaping works</td>
<td>REFUSED</td>
</tr>
<tr>
<td>20170212</td>
<td>Land off Drayton High Road, Drayton</td>
<td>Erection of 71 dwellings with garages, open space, vehicular access and ancillary works</td>
<td>Authority delegated to the HoP to APPROVE subject to no adverse comments in respect of the outstanding issue; the satisfactory completion of a S106 agreement and subject to conditions</td>
</tr>
<tr>
<td>20171782</td>
<td>Taverham Garden Centre, Fir Covert Road, Taverham</td>
<td>Hybrid application: (1) Full planning permission for the construction of a supermarket (Class A1), together with associated access, car parking and landscaping. The supermarket will comprise a total of 2,206m², gross external footprint, and will be served by a total of 129 car parking spaces (of which 7 would be disabled spaces and 8 parent and child spaces). (2) Outline planning permission for the erection of a Class A1 retail unit; a Class A3/A4 public house/restaurant; Class A3/A5 fast food restaurant and a Class A1/A3/B1 lifestyle leisure unit.</td>
<td>APPROVED subject to conditions (incl hours of opening for fast food outlet)</td>
</tr>
<tr>
<td>App'n No</td>
<td>Location</td>
<td>Description of Development</td>
<td>Decision</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>20172032</td>
<td>Land at Dawsons Lane, Blofield</td>
<td>Residential development of 8 no: dwelling houses (outline)</td>
<td>Authority delegated to the HoP to APPROVE subject to conditions and the satisfactory completion of a S106 Agreement relating to the Heads of Terms</td>
</tr>
<tr>
<td>20171008</td>
<td>Land at Little Plumstead Hospital West, Hospital Road, Gt &amp; Lt Plumstead</td>
<td>Erection of 20 two-storey dwellings, expansion of car parking for school and car parking and access road to walled garden</td>
<td>Authority delegated to the HoP to APPROVE subject to conditions, the satisfactory resolution of surface water drainage, no new material issues being raised during the re-consultation period and a Section 106 Agreement / Deed of Variation</td>
</tr>
<tr>
<td>20172017</td>
<td>Land adjacent to 2 Hurn Road, Drayton</td>
<td>Erection of single storey shop unit adjacent to existing shop at no: 2 Hurn Road</td>
<td>APPROVED subject to conditions</td>
</tr>
<tr>
<td>20171945</td>
<td>Land rear of Church Cottage, 2 Norwich Road, Strumpshaw</td>
<td>Change of use from agricultural land to residential curtilage in association with 2 Norwich Road, Strumpshaw and erection of garage</td>
<td>APPROVED subject to conditions</td>
</tr>
</tbody>
</table>

HoP = Head of Planning

Application No: 20170764, The Equestrian Centre, Lower Street, Salhouse: Residential Development (outline)

Decision: to extend the period for negotiating the access application to be brought back to Planning Committee by 25 April 2018
Minutes of a meeting of the Planning Committee held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Wednesday 31 January 2018 at 9.30am when there were present:

Mr I N Moncur – Chairman

Mr A D Adams Mr P H Carrick Mr G Everett Mr R R Foulger Mrs L H Hempsall Mr R J Knowles Miss S Lawn Mr K G Leggett Mr A M Mallett Mrs B H Rix

The following Members attended the meeting and spoke with the Chairman's concurrence on the items shown:

Mr O’Neill - Minute no: 88 (land at Dawsons Lane, Blofield)

Mr Proctor- Minute no: 85 (land south of Broadland Gate, Postwick)

Also in attendance were the Head of Planning, Planning Projects & Landscape Manager (Minute nos: 82-85), Area Planning Managers and the Senior Committee Officer.

82 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

<table>
<thead>
<tr>
<th>Member</th>
<th>Minute No &amp; Heading</th>
<th>Nature of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Everett</td>
<td>86 (land off Drayton High Road, Drayton)</td>
<td>Had chaired Drayton Parish Council meetings and declared his view on the application. Therefore, spoke as the Parish Council representative only and did not vote on the application.</td>
</tr>
<tr>
<td></td>
<td>70 (land adj to 2 Hurn Road, Drayton)</td>
<td>Had not participated at the Drayton Parish Council meeting when the application had been considered. Therefore retained the right to speak and vote on the application.</td>
</tr>
</tbody>
</table>

Mr Foulger reminded the Committee that he was the Portfolio Holder for Communities & Housing.

83 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Graham and Mr J Ward.
The Committee adjourned at 1 pm and reconvened at 1.30 pm when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Knowles and Miss Lawn (who left after Minute no: 87) and Mr Leggett (who left after Minute no: 89).

88 APPLICATION NUMBER 20172032 – LAND AT DAWSONS LANE, BLOFIELD HEATH

The Committee considered an outline application for the erection of eight detached dwellings with garages and an access road from Dawsons Lane, leading off Blofield Corner Road in Blofield Heath. All other matters were reserved for later approval. The application also included improvements to the access of Dawsons Lane onto Blofield Corner Road and a footpath along Blofield Corner Road to link up with the existing access at Skedge Way.

The application was reported to committee as (1) it was contrary to policy and (2) at the request of Mr O'Neill, one of the Ward Members.

The Committee noted the content of a letter which had been received the previous day from the Broads Internal Drainage Board (in its capacity as the Water Management Alliance) as reported by the Area Planning Manager (East) at the meeting. In view of its comments, an additional Informative was suggested and the letter would be attached to the decision notice, if planning permission was granted. In addition, the Committee received the response of Norfolk County Council Historic Environment Service and the comments of Cllr D Ward and Mr Coghlan of Bella Vista, Blofield Corner Road objecting to the application, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Dr Maxon of 74 Blofield Corner Road, objecting to the application and Cheryl Ward of Fusion 13 (the agent) in support, at the meeting. Mr O'Neill, one of the Ward Members, expressed his objections to the application.

The site was outside of any defined settlement limit and therefore, the proposal conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the Committee was reminded that there was not currently a five year housing land supply. Accordingly, the relevant local policies for the supply of housing could not be considered up to date and applications for housing should be considered in the context of the presumption in favour of sustainable development, as prescribed by Paragraph 49 of the NPPF. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies as a whole. The Committee noted that Policy 15 of the JCS identified Blofield Heath as a Service Village based on having a good level of services/facilities. The village had a primary school, convenience store/Post Office, restaurant, Social Club, recreation ground, small scale employment opportunities and a regular bus service to and from

31 January 2018
Norwich. Although the new dwellings would be located outside of the settlement limit, they would be located adjacent to other residential dwellings in accordance with Paragraph 55 of the NPPF and therefore, were considered to be sustainable development.

The Committee accepted that the character and appearance of the site would undoubtedly change but the site was currently featureless and therefore, did not make a significant contribution to the character of the wider area.

Members noted that the Highways Authority was not objecting to the proposal – acknowledging that the proposals indicated that Dawsons Lane could be widened to enable two cars to pass each other as well as the junction improvements could both be achieved on land within the applicant’s control.

Notwithstanding the concerns raised by local residents and the Ward Member, Members noted that the Lead Local Flood Authority had advised that the proposal fell below the threshold for its comments in relation to surface water drainage as the site was not located within an area at risk of surface flooding nor was it on a surface water floodplain. However, there was a flood path to the south of the site at a lower level. Therefore, the submission of a sustainable drainage scheme as part of the Reserved Matters application would be imposed through condition which would require the surface water drainage to be discharged within the site and not lead to surface water flooding off site.

As it would not be appropriate to seek the provision of open space on site, this requirement would be met through the payment of commuted sums.

In terms of all other matters raised, it was noted that these had either been addressed in the report or would be dealt with through the imposition of appropriate conditions or the Reserved Matters stage.

In conclusion it was considered that the development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole and that the development was in a relatively sustainable location (in transport terms), thereby resulting in an acceptable form of development. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20172032 subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:
Heads of Terms:

- Off-site commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).

Conditions:

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

(2) Application for approval of the all of the reserved matters shall be made to the local planning authority not later than TWO years from the date of this permission. The development hereby permitted shall not begin later than TWO years from the date of approval of the last of the reserved matters to be approved.

(3) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

(4) As part of the reserved matters application, details of the surface water drainage scheme to serve the residential dwellings and access shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:

(a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.

(b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.

(c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.

(d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they
are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.

(e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

(5) Prior to any works starting on site the junction of Dawsons Lane with Blofield Corner Road shall be upgraded / widened to a minimum width of 5 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

(6) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the highway improvement works (new section of 1.8m wide footway linking from Dawsons Lane to existing footway on Blofield Corner Road to the east) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(7) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

(8) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

(i) Access arrangements.

(ii) Parking provision in accordance with adopted standard.
(9) The development hereby approved shall have a maximum combined floorspace (including garaging) of no more than 1,000m² (gross internal area).

(10) No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling.

Reasons:

(1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

(4) To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014).

(5) In the interest of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(6) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway safety in
accordance with policies TS3 and TS4 of the Development Management DPD 2015.

(9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.

(10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

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

(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 contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk.

(3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp.

(4) It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant’s responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council’s Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.
The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.

With reference to condition no: 10, the developer will have to meet the costs of supplying and installing the fire hydrant.

In relation to condition no: 4 above, the applicant's / developer's attention is drawn to the letter from the Broads Internal Drainage Board dated 29 January 2018 regarding possible land drainage consent.

The Committee considered an application for the erection of 20 two-storey dwellings (four of which would be affordable); the provision of a land swap between the applicant and Norfolk Count Council to facilitate a better located car park in relation to potential expansion of the primary school; the provision of car parking and serviced access road to the walled garden and to transfer the walled garden to the Parish Council for community purposes all on land at Lt Plumstead Hospital West, Hospital Road, Lt Plumstead. Four of the houses would be accessed from Hospital Road (Old Hall Road) via the new estate road and the remaining 16 from Water Lane via the new estate road (Penrice Road).

The application was reported to committee as it was contrary to the development plan.

The Committee noted a correction to the year in paragraph 9.4 of the report and received the comments of Mr Nagle representing the Walled Garden Community Shop and Café, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Andrew Cawdron of Gt & Lt Plumstead Parish Council in support of the application at the meeting.

In presenting the report the Area Planning Manager advised Members that the Heads of Terms for the Section 106 Agreement would need to include for the provision for the payment of a sum of £75 per dwelling towards library provision as required by Norfolk County Council Planning Obligation Standards April 2017.

The site was outside of but adjacent to the settlement limit defined for Gt & Lt Plumstead and had not been allocated for development. Therefore, the proposal conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the Committee and the JCS stated that approximately 33,000 new homes would be built by 2026 within the NPA. Members were reminded that there was not currently a five year housing land supply (current figure was 4.7 years).
Agenda

Members of the Planning Committee

Mr I N Moncur (Chairman)
Mr A D Adams
Mr P H Carrick
Mr G Everett
Mr I G Graham
Mrs L H Hempsall

Miss S Lawn (Vice Chairman)
Mr R J Knowles
Mr A M Mallett
Mrs B H Rix
Mr J M Ward

Substitutes

Conservative
Mrs C H Bannock
Mr R R Foulger
Mr R F Grady
Mr K G Leggett MBE
Mrs T M Mancini-Boyle*
Mr G K Norden
Mr M D Snowling MBE
Mrs K A Vincent
Mr S A Vincent
Mr D C Ward
Mr D B Willmott

Liberal Democrat
Mr D G Harrison*
Mr S Riley

*not met training requirement so ineligible to serve

If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Area Planning Manager, Head of Planning or the Head of Democratic Services & Monitoring Officer prior to the meeting.

Date

Wednesday 31 January 2018

Time

9.30am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact

Sara Utting tel (01603) 430428
Broadland District Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich NR7 0DU
E-mail: sara.utting@broadland.gov.uk

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.
Reason at Committee: (1) The site is outside of the settlement limit and is therefore contrary to policy and (2) called in by one of the Ward Members (see 5.3).

Recommendation (summary): To delegate authority to the Head of Planning to approve subject to conditions and the satisfactory completion of a Section 106 Agreement.

1 THE PROPOSAL

1.1 The application seeks outline planning permission for the erection of eight detached dwelling with garages and an access road from Dawsons Lane which leads off Blofield Corner Road.

1.2 The application is in outline form with all matters reserved for later determination. An illustrative layout is provided which shows four single storey properties and four two-storey dwellings served by a vehicular access onto Dawsons Lane.

1.3 The application also includes improvements to the access of Dawsons Lane onto Blofield Corner Road and a footpath along Blofield Corner Road to link up with the existing access at Skedge Way.

2 KEY CONSIDERATIONS

- Development outside of settlement limit
• The absence of a five year supply of land for housing in the NPA
• Impact of the proposal on the character and appearance of the area
• Impact of the development on residential amenity
• Impact of the development on the functioning of the local highway network
• Surface water drainage

3 CONSULTATIONS

3.1 Blofield Parish Council:

Objects.

Blofield Parish Council has now had an opportunity to consider the above planning application and wishes to raise strong objections on the following grounds:

• The Design & Access Statement is full of inaccuracies.

• Dawsons Lane is located in Blafield Heath, not Blofield and this mistake is repeated numerous times, neither does the A47 pass through the village of Blafield Heath.

• No information has been provided about the number of bedrooms each dwelling would have.

• The current Dawsons Lane is a private lane, characterised with potholes and loose materials – only wide enough for one car. The lane provides access to 3 further dwellings and stables. The Council cannot see how the lane can be made wider to accommodate two cars and doubt the land required to do so is in the applicant’s possession, judging by the hedging and brick walls on the neighbouring properties.

• The applicant also seeks to install a footpath from Dawsons Lane to link up with the one at Skedge Way, which although is commendable and welcomed, there are questions if the land required is in Highways ownership to facilitate this as numerous vehicles are currently parked on the verge of what I assume is land belonging to the homeowners?

• The application site is outside the settlement boundary of Blafield Heath.

• There is a need for an archaeological survey on the land due to its history.
The supplied plans imply that the enhanced road will also accommodate a footpath. I cannot see how the applicant can achieve this without encroaching on the neighbouring properties boundary walls.

Taking into account the Neighbourhood Plan for Blofield the Parish Council would also strongly object to this planning application on the following neighbourhood planning policies:

NP HOU 1 – Lacking inclusion of affordable or social housing therefore means this policy has not been met. There is insufficient detail in the Design & Access Statement to see what other elements may / may not be supported.

NP HOU 2 – There is no detail so cannot comment – assume not.

NP HOU 4 – Current dwellings in the immediate area are bungalows. With only 1 two storey dwelling located to the North of the application, I do not feel this is in keeping with the surrounding area.

NP HOU 5 – No information provided – therefore would have to assume that this application doesn’t conform.

NP ENV 2 – No details provided – plans make no mention of hedging etc so assume non compliance.

NP ENV 3 – No details provided about how surface water and sewage is to be treated, therefore assume non compliance. Also have concerns as to the extent of possible flooding issues with the properties to the south of the site due to run off etc from the proposed development.

NP ENV 4 – Current land use is agricultural usage – therefore this is a big red flag.

NP ENV 5 – No mention of streetlights on the development.

NP SER 1 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of Primary School places in the area.

NP SER 3 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of patient places in the area.

NP TRA 1 – I cannot see how the applicant owns the land required to upgrade Dawsons Lane to a two carriageway road plus footpath without encroachment onto the neighbouring properties boundaries.
NP TRA 3 – Although the addition of a footpath is welcomed, I am unsure of land ownership for the proposed route of the footpath and would require further information / confirmation from Highways if the land is in their ownership to facilitate making the footpath a reality.

As a further note to this the Parish Council has been receiving strong objections and views from its parishioners and we have encouraged them to write to you with their views.

3.2 Highways:

Dawsons Lane is a narrow unsurfaced private track that presently serves four dwellings. The proposed residential development of eight dwellings will take the number of dwellings served by this track in excess of the eight dwellings normally considered acceptable to be served from such an unadopted access.

However, the proposal is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, this then linking to village services.

Although the present width of Dawsons Lane is unsatisfactory for two vehicles to pass the proposal indicates that this can be widened together with junction improvements from land under the applicant’s control.

Considering the above positive points I feel that any highway objection would be very difficult to substantiate.

Subject to conditions: SHC10 (variation), SHC39A, SHC39B, SHC05 and Informative 1.

3.3 Spatial Planning:

There is a policy objection in principle, being contrary to the Development Plan as discussed above. The current lack of a 5 year housing land supply is a significant material consideration that should be taken into account. However, this does not automatically outweigh the development plan. Consequently, although the site is located outside the settlement limit, the lack of a 5 year supply could be judged a significant enough consideration to outweigh the Development Plan in principle.

3.4 Environmental Health Officer (Contamination):

No comments to make.
3.5 Architectural Liaison & Crime Reduction Officer:

No objections.

3.6 Lead Local Flood Authority:

Having reviewed the application as submitted, it appears that this development would be classed as minor development.

3.7 Anglian Water:

No response.

3.8 Norfolk Fire & Rescue Service:

Taking into account the location of the existing fire hydrant coverage, Norfolk Fire and Rescue Service will require a hydrant to be installed on no less than a 90mm main.

No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service.

Informative: With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

Reason for condition: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

4 PUBLICITY

4.1 Site Notice: 24 November 2017

Expiry date: 17 December 2017

4.2 Press Notice: 28 November 2017

Expiry date: 21 December 2017

4.3 Neighbour Notification

44 properties on Blafield corner Road and Skedge Way.
5 REPRESENTATIONS

5.1 Letters of objection have been received from 17 households on Blofield Corner Road and Skedge Way.

5.2 Summary of concerns:

- The access road is private and there are questions over the ownership of the road.
- The road is totally inappropriate for a development of such a size.
- Concerns about the safety of the access onto Blofield Corner Road.
- Concerns for the remaining agricultural land. Can this be accessed?
- Loss of agricultural land.
- Impact on local ecology.
- Loss of amenity for existing properties including noise and overlooking.
- Facilities in Blofield Heath are limited and the public transport network is poor.
- Drainage concerns due to existing surface water issues.
- Drainage concerns due to the existing system being overloaded and lack of mains drainage.
- Blofield Heath has already exceeded the housing allocation set in the Local Plan.
- The proposal is not sustainable development.
- There is already permission for 35+ properties along Blofield Corner Road and I do not consider that in Blofield there is a need for further development.
- Concerns the doctors surgery and local schools cannot cater for the increase in houses.
- The site is outside the development boundary for the village.
- Erosion of the village landscape. Concerns regarding oil storage.
5.3 Cllr O’Neill:

In the absence of any proposal to deal with surface water drainage I invite you and the Planning Committee to agree that the present proposal is not sustainable and premature. When (if) the applicant is able to demonstrate how it will deal with surface water I trust you will agree that will be the appropriate time to reapply.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) March 2012:

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

6.2 The NPPF is a material consideration and paragraphs 1, 2, 6, 7, 11, 14, 17, 29, 35, 47, 49, 50, 55, 56, 57, 95, 186, 187, 196, 197, 203, and 204 are relevant.

National Planning Practice Guidance:


6.4 This document gives guidance on a number of issues. It states that new development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected and spaces complement one another.

Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, amendments adopted January 2014:

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.
6.7 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the NPA, distributed in accordance with Policies for Places.

Of relevance to this application, states that on sites for 5 to 9 dwelling, the target proportion of affordable housing to be provided will be 20%.

6.8 Policy 9: Strategy for growth in the NPA

Sets out that the NPA is the focus for major growth and development and that smaller sites in the Broadland part of the NPA will contribute 2,000 dwellings towards achieving the minimum target of 21,000 dwellings in the NPA.

6.9 Policy 15: Service Villages

Identifies Blofield Heath as a Service Village capable of accommodating small scale housing growth (within the range of 10 to 20 dwellings) to meet a range of local needs including affordable housing. Settlements in this Policy that are also within the NPA may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance set out in Policy 9.

6.10 Policy 17: Smaller rural communities and the countryside

Amongst other things, sets out that in the countryside, affordable housing for which a specific local need can be shown will be permitted in locations adjacent to villages as an exception to general policy. Other development will be permitted in the countryside where it can clearly be demonstrated that to further the objectives of the JCS.

6.11 Policy 21: Implementation of proposals in the Broadland part of the NPA

When considering development proposals in their part of the NPA, Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant planning permission unless material considerations indicate otherwise.
6.12 Policy GC1:

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development.

6.13 Policy GC2:

New development will be accommodated within the settlement limits. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the Development Plan.

6.14 Policy GC4:

Development is expected to achieve a high standard of design and avoid any significant detrimental impact.

6.15 Policy EN1: Biodiversity and habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network throughout the district.

6.16 Policy EN2: Landscape

In order to protect the landscape of the area, development proposals should have regard to the Landscape Character Assessment Supplementary Planning Document (SPD).

6.17 Policy EN3: Green infrastructure

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1,000 population and at least 0.16 hectares of allotments per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.18 Policy EN4: Pollution

Development proposals will be expected to undertake an assessment of the extent of potential pollution.
6.19 Policy RL1: Provision of formal recreational space

Residential development consisting of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation. The provision of formal recreation should equate to at least 1.68 hectares per 1,000 population and the provision of children's play space should equate to at least 0.34 hectares per 1,000 population.

6.20 Policy TS3: Highway safety

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.21 Policy TS4: Parking guidelines

Within new developments, appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

6.22 Policy CSU5: Surface water drainage

Amongst other things, mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

Blofield Parish Neighbourhood Plan 2016

6.23 Policy HOU1: Local housing needs

Given the significant increase in population of the parish, developers should address the specific needs of the population which include housing for older people and the disabled, smaller homes for parishioners to downsize so that they may retain their ability to live in the parish, two bedroom and larger starter homes on planned mixed development for first time buyers, and social housing as part of mixed developments.

6.24 Policy HOU4: Rural image, heights and massing

The Neighbourhood Plan seeks to maintain and enhance the village image as rural and green. Wherever possible, development should deliver enhancements to the landscaping character.
6.25 Policy HOU5: Parking for new developments

Where feasible and practical, car parking should be provided on the basis of two spaces for one and two-bed properties, three spaces for three-bed properties and four spaces for four or more bed properties.

6.26 Policy ENV2: Soft site boundaries and trees

New development site boundary edges should be soft, using trees and native hedgerows where adjacent to the countryside, giving a rural edge.

6.27 Policy ENV3: Drainage

All development should take advantage of modern drainage methods to alleviate localised flooding. Future development should not cause or contribute to the problem of flooding or drainage issues or pollution.

6.28 Policy ENV4: Agricultural land

High quality agricultural land is of particular importance locally in terms of its contribution to the economy and the rural character.

6.29 Policy TRA1: Local traffic generation

The assessment of traffic generation needs to be addressed in accordance with its potential impact. Major development of over 100 dwellings need to consider total travel demand, patterns of public transport in the area, how development impacts upon them, and if required, how infrastructure or services could be improved to mitigate such impacts.

Particular regard should be made to road safety, the needs of pedestrians and cyclists, parking provision and mitigating congestion.

6.30 Policy TRA3: Walking and cycling

Developments should contribute to an enhanced and joined-up network of high quality footpaths / rights of way to improve access to village amenities and the countryside.

Landscape Character Assessment SPD

6.31 Identifies the application site as falling within the Blofield Tributary Farmland landscape character area.
Recreational Provision in Residential Development SPD

6.32 Provides guidance on the provision of formal and informal recreation space and green infrastructure.

Written Ministerial Statement of 28 November 2014

6.33 Sets out that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000 square metres.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The site is located to the west of Blofield Heath and on the north side of Blofield Corner Road. The site is accessed via Dawsons Lane, a spur of Blofield Corner road that runs perpendicular to it towards the north.

7.2 The site itself is part of an agricultural field that spans from Dawsons Lane on the east to Laundry Lane to the west. There are single storey dwellings to the south (that front Blofield Corner Road), single storey properties to the west (within Skedge Way) and the remainder of the agricultural land to the west and north. Dawsons Lane, has four residential properties to the north which are two storey.

8 PLANNING HISTORY

8.1 None.

9 APPRAISAL

9.1 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, whether the site constitutes a sustainable location and the impact of the proposal on the character and appearance of the area, highway safety, neighbour amenity and drainage.

Policy Framework

9.2 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits. Outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan. The site has not been allocated for housing and is outside...
of the settlement limit that has been defined for Blofield Heath. The application therefore conflicts with Policy GC2 of the DM DPD.

9.3 Blofield Heath is in the NPA and the JCS states that approximately 33,000 new homes will be built within the NPA by 2026. Policy 9 of the JCS states that smaller sites within the Broadland part of the NPA outside of the Growth Triangle must contribute 2,000 dwellings towards this target and allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environment and servicing considerations. Policy 15 of the JCS identifies Blofield Heath as a Service Village and states that land will be allocated for residential development within the range of 10-20 dwellings. However, as Blofield Heath is in the NPA, it may also be considered for additional development, if necessary, to help deliver the smaller sites allowance of 2,000 dwellings in the Broadland part of the NPA.

9.4 Consideration must also be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report (AMR) 2015-2016 for the Joint Core Strategy, January 2017. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply this application must be considered in the context of paragraph 49 of the NPPF, specifically 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”. Therefore paragraph 14 of the NPPF is relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or specific policies in this Framework indicate development should be restricted”.

9.5 Policy 15 of the Joint Core Strategy identifies Blofield Heath as a Service Village. Although the site is located outside of the defined settlement limit, the site lies less approximately half a mile from the village shop / Post Office, Primary School and Heathlands Community and Social Club. Although the site is located outside of the defined settlement limit, the new properties are located adjacent to other residential dwellings in accordance with Paragraph 55 of the NPPF and are therefore considered to be sustainable development.

9.6 Therefore, and with regard to the deficit in the supply of land for housing within the NPA, Policy GC2 of the DM DPD is out of date and although it remains as a consideration of reduced weight, the specific benefits of this proposal (as examined below) are considered to weigh in its favour notwithstanding being located outside a settlement limit.
Site Specific Considerations

9.7 The Highway Authority has advised that they do not object to the proposal as the site is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, thus linking the site to the village services. The footpath is deliverable upon highway land. They have advised that the proposal indicates that Dawsons Lane can be widened to enable two cars to pass each other together with the junction improvements from land within the applicant’s control. Although comments from neighbours have questioned this, there has been no evidence submitted to challenge this assertion. The issue of parking would be dealt with under the Reserved Matters. The proposal does not therefore result in an adverse impact on highway safety.

9.8 The Lead Local Flood Authority has advised that the proposal falls below the threshold for their comments in relation to surface water drainage. Although this has been raised as an issue by local residents, the site is not located within an area at risk of surface water flooding nor is it on a surface water floodplain. However, there is a flood path to the south of the site at a lower level. It is therefore felt that similar to the recent approval to the east along Blofield Corner Road, it is possible to condition the submission of a sustainable drainage scheme as part of the Reserved Matters application. The condition will require that the surface water drainage can be discharged within the site and will not lead to surface water flooding off site.

9.9 In a response to the representations made, the agent has confirmed that arrangements for the collection of surface water would also be brought forward at the Reserved Matters stage. They state that they will ensure that flood risk from surface water is not increased or directed elsewhere and they will take account of existing ground conditions and soil structure. They also confirm that the applicant has the right to drain over the land to an adjacent outfall pipe and should this not be satisfactory, surface water will be directed to a catchment storage area on the land. Whichever method is chosen, the correct infrastructure will be put into place to deal with the modest increase in surface water output.

9.10 The application is not seeking approval of matters relating to layout, scale and the appearance of the site and consequently, it is difficult to provide any meaningful assessment on the impact of the development on residential amenity. Most properties that border the site from Blofield Corner to the south and Skedge Way to the east are bungalows. However it is not considered appropriate to subject a prospective planning permission to a condition requiring the construction of bungalows throughout the site as it is considered that further consideration can be given to this particular issue at detailed stage when the layout (internal and external) of the site is known and regard can be given to the advice set out in the Broadland Design Guide on suggested distances between first floor windows serving habitable rooms and private spaces (such as patio areas and habitable rooms) at neighbouring properties.
The indicative layout does show that the recommended 24m back to back distance between dwellings can be achieved.

9.11 The majority of the concerns raised by members of the local community have been addressed above. However, in terms of the impact on existing services in the parish, no evidence has been provided that demonstrate that this development (along with others that benefit from consent) will result in significant and demonstrable harm. Blofield is served by two GP surgeries (in Brundall and Blofield) and payment of CIL will contribute towards education provision.

Planning obligations

9.12 When taking account of Policy 4 of the JCS and Policies EN3 and RL1 of the DM DPD, the number of dwellings being proposed triggers contributions to be made towards affordable housing, equipped children's play space, formal recreational space and informal open space. However, the Ministerial Statement of 28 November 2014 states that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000m².

9.13 In respect of open space, the Council would not seek the provision of open space on site as it is unlikely to be meaningful. Instead, it would seek the payment of commuted sums. There is a deficit in equipped children's play areas and informal open space within the parish of Blofield and contributions would be sought towards these items.

Planning Balance

9.14 The planning balance should weigh up the relevant factors that this application raises. By building dwellings on a section of agricultural land, the character and appearance of the site will undoubtedly change. However, the site is featureless to the extent that it does not make a significant contribution to the character of the wider area. A more meaningful assessment of the impact of the scale, appearance and layout of the development on residential amenity can be made in subsequent detailed applications and despite concerns raised by local residents, no objections have been raised by the Highway Authority on matters relating to highway safety subject to the use of appropriate planning conditions and the LLFA consider the proposal to be minor development outside of their remit in relation to surface water flooding.

9.15 Blofield Heath is a reasonably sustainable location for some 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 without undermining the settlement hierarchy. The addition of a public footpath further along Blofield Corner Road will also result in a benefit.
9.16 In having regard to paragraphs 14 and 49 of the NPPF and those adopted and development plan policies that are up to date, it is considered that any adverse impacts resulting from this application will not significantly and demonstrably outweigh the benefits and the officer recommendation reflects this.

9.17 In summary, officers consider that the application proposes an acceptable use in a relatively sustainable location (in transport terms) without causing harm to residential amenity, the character and appearance of the surrounding area or highway safety and will not undermine the aims and objections of the development plan.

RECOMMENDATION: To delegate authority to the Head of Planning to APPROVE the application subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

(1) Off-site commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).

Conditions:

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

(2) Application for approval of all of the reserved matters shall be made to the local planning authority not later than TWO years from the date of this permission. The development hereby permitted shall not begin later than TWO years from the date of approval of the last of the reserved matters to be approved.

(3) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

(4) As part of the reserved matters application, details of the surface water drainage scheme to serve the residential dwellings and access shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:
Planning Committee

(a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.

(b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.

(c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.

(d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.

(e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

(5) **SHC 10 (Variation)** Prior to any works starting on site the junction of Dawsons Lane with Blofield Corner Road shall be upgraded / widened to a minimum width of 5 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

(6) **SHC 39A** Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the highway improvement works (new section of 1.8m wide footway linking from Dawsons Lane to existing footway on Blofield Corner Road to the east) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
(7) **SHC 39B** Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

(8) **SHC 05** Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

(i) Access arrangements.

(ii) Parking provision in accordance with adopted standard.

(9) The development hereby approved shall have a maximum combined floorspace (including garaging) of no more than 1,000m² (gross internal area).

(10) No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling.

**Reasons:**

(1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

(4) To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014).

(5) In the interest of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(6) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the...
(7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway safety in accordance with policies TS3 and TS4 of the Development Management DPD 2015.

(9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.

(10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

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

(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 contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk.

(3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp.

(4) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to
ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council’s Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

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

(6) With reference to condition no: 10, the developer will have to meet the costs of supplying and installing the fire hydrant.
## DECISIONS ON APPLICATIONS – 28 MARCH 2018

<table>
<thead>
<tr>
<th>App’n No</th>
<th>Location</th>
<th>Description of Development</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>20170104</td>
<td>Land south of Salhouse Road, Sprowston</td>
<td>Erection of up to 380 residential dwellings (inc affordable housing) with new vehicular, cycle and pedestrian access from Salhouse Road and new pedestrian and cycle access from Plumstead Road incorporating an emergency vehicular access; the provision of open space, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks (outline)</td>
<td>Authority delegated to the HoP to APPROVE subject to the satisfactory completion of a S106 Agreement and conditions</td>
</tr>
<tr>
<td>20161066</td>
<td>Land adjacent Hall Lane / School Road, Drayton</td>
<td>Development of up to 250 homes, allotments, access, public open space and associated infrastructure (outline)</td>
<td>APPROVED subject to conditions including additional ones requested by Norwich Airport re the attenuation lagoon and continue S106 negotiations as per agreed Heads of Terms to allow it to be completed</td>
</tr>
<tr>
<td>20170196</td>
<td>Former David Rice Hospital, Drayton High Road, Drayton</td>
<td>Erection of 29 dwellings and associated access, including 10 affordable dwellings (outline) – revised proposal</td>
<td>APPROVED subject to conditions and complete the S106 as per the agreed Heads of Terms</td>
</tr>
<tr>
<td>20171008</td>
<td>Land at Little Plumstead Hospital, Hospital Road, Little Plumstead</td>
<td>Erection of 20 two-storey dwellings, expansion of car parking for school and car parking and access road to walled garden</td>
<td>APPROVED subject to conditions and continue S106 negotiations as per agreed Heads of Terms to allow it to be completed</td>
</tr>
<tr>
<td>20172032</td>
<td>Land at Dawsons Lane, Blofield</td>
<td>Residential development of 8 dwelling houses (outline)</td>
<td>REFUSED</td>
</tr>
<tr>
<td>Application Number</td>
<td>Address</td>
<td>Description</td>
<td>Decision</td>
</tr>
<tr>
<td>--------------------</td>
<td>---------</td>
<td>-------------</td>
<td>----------</td>
</tr>
<tr>
<td>20172094</td>
<td>116 The Street, Brundall</td>
<td>Change of use from existing optician shop (A1) to pizza takeaway (A5) and external flue to rear</td>
<td>REFUSED</td>
</tr>
<tr>
<td>20180022</td>
<td>Bure House, The Street, Lamas</td>
<td>Erection of house and garage with associated access</td>
<td>REFUSED</td>
</tr>
<tr>
<td>20180060</td>
<td>Land to rear of The Cottage, Grange Road, Hainford</td>
<td>Sub-division of plot and erection of 1 no: dwelling (outline) (revised scheme)</td>
<td>APPROVED subject to conditions</td>
</tr>
<tr>
<td>20180117</td>
<td>The Old Post Office, Acle Road, Moulton St Mary</td>
<td>Demolition of existing building and construction of 1 no: proposed dwelling and double garage</td>
<td>Authority delegated to the HoP to APPROVE following the expiry of 21 days from the date of the certificate and subject to conditions</td>
</tr>
</tbody>
</table>

HoP = Head of Planning
Minutes of a meeting of the Planning Committee held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Wednesday 28 March 2018 at 9.30am when there were present:

Mr I N Moncur – Chairman

Mr A D Adams
Mr P H Carrick
Mrs L H Hempsall

Mr R J Knowles
Mr K G Leggett
Mr A M Mallett

Mr G K Nurden
Mrs B H Rix
Mr J M Ward

The following Members attended the meeting and spoke with the Chairman’s concurrence on the items shown:

Minute no: 102 - Mrs Bannock, Mr O’Neill and Mr Ray-Mortlock
Minute no: 105 - Mr O’Neill
Minute no: 106 - Mr Proctor
Minute no: 107 - Mrs Rix
Minute no: 108 - Mr Carrick

Also in attendance were the Head of Planning, Planning Projects & Landscape Manager (for Minute nos: 98 – 101), Area Planning Managers and the Senior Committee Officer, Mr Bizley, Chartered Surveyor, attended for Minute nos: 98 - 101.

98 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

<table>
<thead>
<tr>
<th>Member</th>
<th>Minute No &amp; Heading</th>
<th>Nature of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mrs Rix</td>
<td>107 (Bure House, The Street, Lamas)</td>
<td>Had openly expressed her views on the application. Spoke as the Ward Member only and did not vote on the application.</td>
</tr>
<tr>
<td>Mr Nurden</td>
<td>106 (116 The Street, Brundall)</td>
<td>Brundall Parish Councillor but had not taken any part in the decision making process. Non-disclosable local choice interest.</td>
</tr>
<tr>
<td>Mr Carrick</td>
<td>108 (land to the rear of The Cottage, Grange Road, Hainford)</td>
<td>Had openly expressed his views on the application. Spoke as the Ward Member only and did not vote on the application.</td>
</tr>
</tbody>
</table>

99 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Everett, Mr Graham and Miss Lawn.
of Term to allow it to be completed and application number 20171008 be approved as per the conditions agreed by the Planning Committee on 31 January 2018.

105 APPLICATION NUMBER 20172032– LAND AT DAWSONS LAND, BLOFIELD

The Committee considered an outline application for the erection of eight dwellings on land at Dawsons Lane in Blofield. At its meeting on 31 January 2018 (Minute no: 88 referred), the Committee had delegated authority to the Head of Planning to approve the application subject to a Section 106 Agreement and conditions. However, to date, the Agreement remained incomplete and unsigned.

The Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications – now that there was an abundant housing land supply this should be given weight in the decision making processes. Accordingly, it was necessary for the Planning Committee to reconsider those applications in the NPA which it had previously resolved to approve but no decision had been issued, making an assessment of the benefits of the scheme and any harm which would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role; social role and environmental role).

The Committee received the additional comments of a neighbour as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Rob Christie of Blofield Parish Council and Mary Moxon of 74 Blofield Corner Road both objecting to the application and Jane Crichton on behalf of the agent at the meeting. Mr O’Neill expressed his concerns on the application.

Economic Role

Having regard to the NPPF, the Committee acknowledged that the development of this site would result in some short term economic benefits as part of the construction work and for the longer term, the economy would benefit from local spending from the future occupants of the dwellings. It was therefore considered that the scheme would bring forward a level of economic benefit, albeit limited.

28 March 2018
Planning Committee

Social Role

It was noted that the development did not propose the delivery of any affordable housing. Accordingly, the Committee considered that the proposals did not meet the social dimension to sustainable development as outlined in the NPPF. The provision of the public footpath to connect with the existing footway infrastructure, together with the CIL contributions for formal and informal recreation, were not considered sufficient to outweigh the harm associated with the proposed development.

Environmental Role

The Committee noted that the site was outside of the settlement limit and had not been allocated for housing and was currently agricultural land. Therefore, it was considered that the development would result in an encroachment into the countryside contrary to the development plan policies. Accordingly, it was considered the proposals did not reflect the environmental dimension to sustainable development in accordance with the NPPF.

In conclusion it was considered that the adverse impacts associated with the development did not outweigh the economic, social and environmental benefits and the limited increase in housing delivery. Therefore, it represented an unsustainable form of development. Accordingly, notwithstanding the officer recommendation it was

RESOLVED:

to refuse application number 20172032 for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy for Broadland, Norwich and South Norfolk adopted 2011, amendments adopted 2014 (JCS); the Development Management DPD adopted 2015 (DMDPD); the Site Allocations DPD adopted 2016 (SADPD); and the Blofield Parish Neighbourhood Plan adopted 2016 (BPNP).

Also material is the National Planning Policy Framework (NPPF); the National Planning Practice Guidance (NPPG); and the Landscape Character Assessment SPD adopted 2013.

The policies particularly relevant to the determination of this application are; 1, 2, 4, 15 and 21 of the JCS; policies GC1, GC2, GC4 and EN2 of the DMDPD; and policies HOU1, HOU4 and ENV2 of the BPNP.

28 March 2018
The proposal represents development outside of a defined settlement limit and the site has not been allocated for housing. The proposal would significantly impact and encroach on the open rural landscape characteristic of this site and its contribution to the wider area insofar as it would extend beyond the contained linear development that forms the transition between existing housing and the surrounding agricultural land as identified by the Landscape Character Assessment 2013.

In addition, the backland form of development served by an unmade track is out of character with the prevailing pattern of development in this location. It would set a precedent for further unacceptable development in this area and it would erode the quality of place.

The proposal would be contrary to Policies 1, 2 and 15 of the JCS; policies GC2, GC4 and EN2 of the DMDPD; policies HOU4 and ENV2 of the BPNP; and the Landscape Character Assessment (2013).

The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the environmental harm to the open character of the landscape setting of the village and wider rural landscape. This harm is not outweighed by the modest short-term economic benefit the proposal may bring, especially with the diminished weight that can be applied to the benefits of housing delivery in the context of the Strategic Housing Market Assessment which was revised in 2017. Accordingly the benefits of the scheme are not considered to be an overriding factor which justifies an approval under Policy GC1 of the DMDPD, HOU 1 of the BPNP and Policy 21 of the JCS. For this reason, the scheme is also contrary to Policies GC1 of the DMDPD, Policy HOU1 of the BPNP and Policy 21 of the JCS.

106 APPLICATION NUMBER 20172094 – 116 THE STREET, BRUNDALL

The Committee considered an application for the change of use from an existing optician shop (A1) to a pizza takeaway (A5) and external flue to rear at 116 The Street, Brundall. The proposed opening hours were 1100 to 2100, 7 days a week.

The application was reported to committee at the request of one of the Ward Members in view of the officer recommendation.

The Committee received the verbal views of Tony Tuddenham of Divine Hair Salon on The Street in Brundall and the occupier of flat 2, no: 116 The Street (as read out by the Area Planning Manager) objecting to the application and Mrs Bilgi from ADA Group (the agent) at the meeting. Mr Proctor expressed his concerns on the application.

It was noted that the existing building was divided into two retail units on the

28 March 2018
Planning Committee

Date
Wednesday 28 March 2018

Time
9.30am

Place
Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact
Sara Utting  tel (01603) 430428
Broadland District
Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich  NR7 0DU
E-mail: sara.utting@broadland.gov.uk
@BDCDemServices

The Openness of Local Government Bodies Regulations 2014
Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.
PLAN NO: 5

APPLICATION NO 20172032 – RESIDENTIAL DEVELOPMENT OF 8 DWELLING HOUSES (OUTLINE) ON LAND AT DAWSONS LANE, BLOFIELD, NR13 4SB

1 BACKGROUND

1.1 At its meeting on 31 January 2018 (Minute no: 88 refers) Planning Committee resolved to delegate authority to the Head of Planning to grant outline planning permission subject to the satisfactory completion of a S106 Agreement with the following heads of terms and subject to conditions.

Heads of Terms:

- Off-site commuted sums in respect of equipped play space – Policy RL1 and informal open space – Policy EN3 (including maintenance arrangements and provisions)

1.2 The S106 Agreement has been instructed on but is not completed.

1.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17 published on 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

In accordance with both the Council’s adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and / or policy of the development plan and does not result in any significant adverse impact.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, in accordance with DM DPD Policy GC1, will grant permission unless material considerations indicate otherwise – taking into account one of two criteria.

Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: ‘housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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’. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, ‘would significantly and demonstrably outweigh the benefits’, when assessed against the policies of the NPPF as a whole.

The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery.
1.4 It is therefore necessary for the Planning Committee to re-consider those applications in the NPA that it previously resolved to approve where the decision has not been issued. On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

2 THE ISSUES

2.1 The site has not been allocated for housing and is outside but adjacent to the defined settlement limit of Blofield Heath.

2.2 In summary the current planning application for 8 dwellings provides the following:

S106 Requirements

2.3 When taking account of Policy 4 of the Joint Core Strategy and Policies EN3 and RL1 of the Development Management DPD, the number of dwellings being proposed triggers contributions to be made towards affordable housing, equipped children's play space, formal recreational space and informal open space.

Committed sums

In respect of open space, the Council would not seek the provision of open space on site as it is unlikely to be meaningful given the small scale of development. Instead, it would seek the payment of commuted sums. There is a deficit in equipped children's play areas and informal open space within the parish of Blofield and contributions would be sought towards these items and the following approximate figures apply. Exact figures cannot be quoted as the scheme is in outline and the number of bed spaces is not known at this stage:

- Play/Sport/Allotments £17,000
- Green Infrastructure £21,000
Affordable housing

Given the scale of development proposed (8 dwellings), the Ministerial Statement of 28 November 2014 is relevant and which states that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000m$^2$. Therefore, no affordable housing will be delivered by this scheme.

Other Benefits

As part of the development a new length of footway is proposed from Dawsons Lane, extending eastwards across the frontage of seven properties on Blofield Corner Road to link up with Skedge Way and existing footpath infrastructure to the east.

3 ASSESSMENT

3.1 As stated at paragraph 1.4 it is necessary to assess the benefits of the planning application and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in section 2 of this report and it should be noted that the previous committee report (including related matters in the Supplementary Schedule and IDB letter reported by the Area Planning Manager) set out in detail the comments received in respect of the application together with a detailed assessment of the issues within the appraisal section including an evaluation against the development plan policies and the NPPF. At its meeting on 31 January 2018 Planning Committee concluded that the development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits.

Economic role

3.2 The NPPF confirms the economic role as: “contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

3.3 The development would result in some short term economic benefits as part of any construction work and in the longer term by spending from the future occupants of the dwellings which could support local services and facilities.
Social Role

3.4 The NPPF confirms the social role as “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”

3.5 Although the proposal does not contribute to local affordable housing need due to the quantity of development proposed, it can provide for a range of dwelling types and is in a relatively sustainable location being adjacent the built up area and within walking distance of local services and facilities. The development is proposed to connect with existing footway infrastructure providing a new length of public footpath (referred to as a benefit in paragraph 9.15 of the report to Planning Committee on 31 January 2018) and in addition, this development would be liable for Community Infrastructure Levy (CIL) and will contribute to formal and informal recreation by way of commuted payments.

Environmental Role

3.6 The NPPF confirms the environmental role as “contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

3.7 The site is adjacent existing residential dwellings located within the settlement limit and as explained in paragraph 9.5 of the report to Planning Committee on 31 January 2018 the proposal was considered to be sustainable development. Paragraph 9.17 of the report to Planning Committee on 31 January 2018 is important in that it stated the following:

“In summary, officers consider that the application proposes an acceptable use in a relatively sustainable location (in transport terms) without causing harm to residential amenity, the character and appearance of the surrounding area or highway safety and will not undermine the aims and objectives of the development plan.”

3.8 In terms of the environmental role, no harms are identified that cannot be mitigated through condition and on balance it is considered that the scheme fulfils this requirement.

4 CONCLUSION

4.1 Whilst the housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision
making process and that this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery; there are limited adverse impacts associated with the development and there are clear other benefits associated with the development; and in the circumstances the resolution of Planning Committee on 31 January 2018 is maintained as one of approval.

5 RECOMMENDATION

5.1 Accordingly, it is RECOMMENDED that officers continue to negotiate the S106 as per the agreed Heads of Terms to allow it to be completed and the outline application be approved as per the conditions as agreed by Planning Committee on 31 January 2018 (detailed in the Minutes attached as an appendix).

Phil Courtier
Head of Planning

Background Papers

Planning application 20170196

For further information on this report call Cheryl Peel 01603 430550 or email cheryl.peel@broadland.gov.uk
Planning Committee

AREA
East

PARISH
Blofield

APPLICATION NO:
20172032

TG REF:
632139 / 311318

LOCATION OF SITE
Land at Dawsons Lane, Blofield, NR13 4SB

DESCRIPTION OF DEVELOPMENT
Residential development of 8 no: dwelling houses (outline)

APPLICANT
PPAP Investments c/o Agent

AGENT
Fusion 13, FAO Cheryl Ward, Unit 1B Park Farm Courtyard, Easthorpe, Malton, York, YO17 6QX

Date Received: 20 November 2017
8 Week Expiry Date: 16 January 2018

Reason at Committee: (1) The site is outside of the settlement limit and is therefore contrary to policy and (2) called in by one of the Ward Members (see 5.3).

Recommendation (summary): To delegate authority to the Head of Planning to approve subject to conditions and the satisfactory completion of a Section 106 Agreement.

1 THE PROPOSAL

1.1 The application seeks outline planning permission for the erection of eight detached dwelling with garages and an access road from Dawsons Lane which leads off Blofield Corner Road.

1.2 The application is in outline form with all matters reserved for later determination. An illustrative layout is provided which shows four single storey properties and four two-storey dwellings served by a vehicular access onto Dawsons Lane.

1.3 The application also includes improvements to the access of Dawsons Lane onto Blofield Corner Road and a footpath along Blofield Corner Road to link up with the existing access at Skedge Way.

2 KEY CONSIDERATIONS

- Development outside of settlement limit
The absence of a five year supply of land for housing in the NPA
Impact of the proposal on the character and appearance of the area
Impact of the development on residential amenity
Impact of the development on the functioning of the local highway network
Surface water drainage

3 CONSULTATIONS

3.1 Blofield Parish Council:

Objects.

Blofield Parish Council has now had an opportunity to consider the above planning application and wishes to raise strong objections on the following grounds:

- The Design & Access Statement is full of inaccuracies.
- Dawsons Lane is located in Blofield Heath, not Blofield and this mistake is repeated numerous times, neither does the A47 pass through the village of Blofield Heath.
- No information has been provided about the number of bedrooms each dwelling would have.
- The current Dawsons Lane is a private lane, characterised with potholes and loose materials – only wide enough for one car. The lane provides access to 3 further dwellings and stables. The Council cannot see how the lane can be made wider to accommodate two cars and doubt the land required to do so is in the applicant’s possession, judging by the hedging and brick walls on the neighbouring properties.
- The applicant also seeks to install a footpath from Dawsons Lane to link up with the one at Skedge Way, which although is commendable and welcomed, there are questions if the land required is in Highways ownership to facilitate this as numerous vehicles are currently parked on the verge of what I assume is land belonging to the homeowners?
- The application site is outside the settlement boundary of Blofield Heath.
- There is a need for an archaeological survey on the land due to its history.
• The supplied plans imply that the enhanced road will also accommodate a footpath. I cannot see how the applicant can achieve this without encroaching on the neighbouring properties boundary walls.

Taking into account the Neighbourhood Plan for Blofield the Parish Council would also strongly object to this planning application on the following neighbourhood planning policies:

NP HOU 1 – Lacking inclusion of affordable or social housing therefore means this policy has not been met. There is insufficient detail in the Design & Access Statement to see what other elements may / may not be supported.

NP HOU 2 – There is no detail so cannot comment – assume not.

NP HOU 4 – Current dwellings in the immediate area are bungalows. With only 1 two storey dwelling located to the North of the application, I do not feel this is in keeping with the surrounding area.

NP HOU 5 – No information provided – therefore would have to assume that this application doesn’t conform.

NP ENV 2 – No details provided – plans make no mention of hedging etc so assume non compliance.

NP ENV 3 – No details provided about how surface water and sewage is to be treated, therefore assume non compliance. Also have concerns as to the extent of possible flooding issues with the properties to the south of the site due to run off etc from the proposed development.

NP ENV 4 – Current land use is agricultural usage – therefore this is a big red flag.

NP ENV 5 – No mention of streetlights on the development.

NP SER 1 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of Primary School places in the area.

NP SER 3 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of patient places in the area.

NP TRA 1 – I cannot see how the applicant owns the land required to upgrade Dawsons Lane to a two carriageway road plus footpath without encroachment onto the neighbouring properties boundaries.
NP TRA 3 – Although the addition of a footpath is welcomed, I am unsure of land ownership for the proposed route of the footpath and would require further information / confirmation from Highways if the land is in their ownership to facilitate making the footpath a reality.

As a further note to this the Parish Council has been receiving strong objections and views from its parishioners and we have encouraged them to write to you with their views.

3.2 Highways:

Dawsons Lane is a narrow unsurfaced private track that presently serves four dwellings. The proposed residential development of eight dwellings will take the number of dwellings served by this track in excess of the eight dwellings normally considered acceptable to be served from such an unadopted access.

However, the proposal is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, this then linking to village services.

Although the present width of Dawsons Lane is unsatisfactory for two vehicles to pass the proposal indicates that this can be widened together with junction improvements from land under the applicant’s control.

Considering the above positive points I feel that any highway objection would be very difficult to substantiate.

Subject to conditions: SHC10 (variation), SHC39A, SHC39B, SHC05 and Informative 1.

3.3 Spatial Planning:

There is a policy objection in principle, being contrary to the Development Plan as discussed above. The current lack of a 5 year housing land supply is a significant material consideration that should be taken into account. However, this does not automatically outweigh the development plan. Consequently, although the site is located outside the settlement limit, the lack of a 5 year supply could be judged a significant enough consideration to outweigh the Development Plan in principle.

3.4 Environmental Health Officer (Contamination):

No comments to make.
3.5 Architectural Liaison & Crime Reduction Officer:

No objections.

3.6 Lead Local Flood Authority:

Having reviewed the application as submitted, it appears that this development would be classed as minor development.

3.7 Anglian Water:

No response.

3.8 Norfolk Fire & Rescue Service:

Taking into account the location of the existing fire hydrant coverage, Norfolk Fire and Rescue Service will require a hydrant to be installed on no less than a 90mm main.

No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service.

Informative: With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

Reason for condition: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

4 PUBLICITY

4.1 Site Notice: 24 November 2017

Expiry date: 17 December 2017

4.2 Press Notice: 28 November 2017

Expiry date: 21 December 2017

4.3 Neighbour Notification

44 properties on Blofield corner Road and Skedge Way.
5 REPRESENTATIONS

5.1 Letters of objection have been received from 17 households on Blofield Corner Road and Skedge Way.

5.2 Summary of concerns:

- The access road is private and there are questions over the ownership of the road.
- The road is totally inappropriate for a development of such a size.
- Concerns about the safety of the access onto Blofield Corner Road.
- Concerns for the remaining agricultural land. Can this be accessed?
- Loss of agricultural land.
- Impact on local ecology.
- Loss of amenity for existing properties including noise and overlooking.
- Facilities in Blofield Heath are limited and the public transport network is poor.
- Drainage concerns due to existing surface water issues.
- Drainage concerns due to the existing system being overloaded and lack of mains drainage.
- Blofield Heath has already exceeded the housing allocation set in the Local Plan.
- The proposal is not sustainable development.
- There is already permission for 35+ properties along Blofield Corner Road and I do not consider that in Blofield there is a need for further development.
- Concerns the doctors surgery and local schools cannot cater for the increase in houses.
- The site is outside the development boundary for the village.
- Erosion of the village landscape. Concerns regarding oil storage.
5.3 Cllr O’Neill:

In the absence of any proposal to deal with surface water drainage I invite you and the Planning Committee to agree that the present proposal is not sustainable and premature. When (if) the applicant is able to demonstrate how it will deal with surface water I trust you will agree that will be the appropriate time to reapply.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) March 2012:

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

6.2 The NPPF is a material consideration and paragraphs 1, 2, 6, 7, 11, 14, 17, 29, 35, 47, 49, 50, 55, 56, 57, 95, 186, 187, 196, 197, 203, and 204 are relevant.

National Planning Practice Guidance:


6.4 This document gives guidance on a number of issues. It states that new development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected and spaces complement one another.

Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, amendments adopted January 2014:

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.
6.7 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the NPA, distributed in accordance with Policies for Places.

Of relevance to this application, states that on sites for 5 to 9 dwelling, the target proportion of affordable housing to be provided will be 20%.

6.8 Policy 9: Strategy for growth in the NPA

Sets out that the NPA is the focus for major growth and development and that smaller sites in the Broadland part of the NPA will contribute 2,000 dwellings towards achieving the minimum target of 21,000 dwellings in the NPA.

6.9 Policy 15: Service Villages

Identifies Blofield Heath as a Service Village capable of accommodating small scale housing growth (within the range of 10 to 20 dwellings) to meet a range of local needs including affordable housing. Settlements in this Policy that are also within the NPA may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance set out in Policy 9.

6.10 Policy 17: Smaller rural communities and the countryside

Amongst other things, sets out that in the countryside, affordable housing for which a specific local need can be shown will be permitted in locations adjacent to villages as an exception to general policy. Other development will be permitted in the countryside where it can clearly be demonstrated that to further the objectives of the JCS.

6.11 Policy 21: Implementation of proposals in the Broadland part of the NPA

When considering development proposals in their part of the NPA, Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant planning permission unless material considerations indicate otherwise.
Development Management (DPD) Proposed Submission 2014

6.12 Policy GC1:

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development.

6.13 Policy GC2:

New development will be accommodated within the settlement limits. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the Development Plan.

6.14 Policy GC4:

Development is expected to achieve a high standard of design and avoid any significant detrimental impact.

6.15 Policy EN1: Biodiversity and habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network throughout the district.

6.16 Policy EN2: Landscape

In order to protect the landscape of the area, development proposals should have regard to the Landscape Character Assessment Supplementary Planning Document (SPD).

6.17 Policy EN3: Green infrastructure

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1,000 population and at least 0.16 hectares of allotments per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.18 Policy EN4: Pollution

Development proposals will be expected to undertake an assessment of the extent of potential pollution.
6.19 Policy RL1: Provision of formal recreational space

Residential development consisting of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation. The provision of formal recreation should equate to at least 1.68 hectares per 1,000 population and the provision of children's play space should equate to at least 0.34 hectares per 1,000 population.

6.20 Policy TS3: Highway safety

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.21 Policy TS4: Parking guidelines

Within new developments, appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

6.22 Policy CSU5: Surface water drainage

Amongst other things, mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

Blofield Parish Neighbourhood Plan 2016

6.23 Policy HOU1: Local housing needs

Given the significant increase in population of the parish, developers should address the specific needs of the population which include housing for older people and the disabled, smaller homes for parishioners to downsize so that they may retain their ability to live in the parish, two bedroom and larger starter homes on planned mixed development for first time buyers, and social housing as part of mixed developments.

6.24 Policy HOU4: Rural image, heights and massing

The Neighbourhood Plan seeks to maintain and enhance the village image as rural and green. Wherever possible, development should deliver enhancements to the landscaping character.
6.25 Policy HOU5: Parking for new developments

Where feasible and practical, car parking should be provided on the basis of two spaces for one and two-bed properties, three spaces for three-bed properties and four spaces for four or more bed properties.

6.26 Policy ENV2: Soft site boundaries and trees

New development site boundary edges should be soft, using trees and native hedgerows where adjacent to the countryside, giving a rural edge.

6.27 Policy ENV3: Drainage

All development should take advantage of modern drainage methods to alleviate localised flooding. Future development should not cause or contribute to the problem of flooding or drainage issues or pollution.

6.28 Policy ENV4: Agricultural land

High quality agricultural land is of particular importance locally in terms of its contribution to the economy and the rural character.

6.29 Policy TRA1: Local traffic generation

The assessment of traffic generation needs to be addressed in accordance with its potential impact. Major development of over 100 dwellings need to consider total travel demand, patterns of public transport in the area, how development impacts upon them, and if required, how infrastructure or services could be improved to mitigate such impacts.

Particular regard should be made to road safety, the needs of pedestrians and cyclists, parking provision and mitigating congestion.

6.30 Policy TRA3: Walking and cycling

Developments should contribute to an enhanced and joined-up network of high quality footpaths / rights of way to improve access to village amenities and the countryside.

**Landscape Character Assessment SPD**

6.31 Identifies the application site as falling within the Blofield Tributary Farmland landscape character area.
Recreational Provision in Residential Development SPD

6.32 Provides guidance on the provision of formal and informal recreation space and green infrastructure.

Written Ministerial Statement of 28 November 2014

6.33 Sets out that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000 square metres.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The site is located to the west of Blofield Heath and on the north side of Blofield Corner Road. The site is accessed via Dawsons Lane, a spur of Blofield Corner road that runs perpendicular to it towards the north.

7.2 The site itself is part of an agricultural field that spans from Dawsons Lane on the east to Laundry Lane to the west. There are single storey dwellings to the south (that front Blofield Corner Road), single storey properties to the west (within Skedge Way) and the remainder of the agricultural land to the west and north. Dawsons Lane, has four residential properties to the north which are two storey.

8 PLANNING HISTORY

8.1 None.

9 APPRAISAL

9.1 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, whether the site constitutes a sustainable location and the impact of the proposal on the character and appearance of the area, highway safety, neighbour amenity and drainage.

Policy Framework

9.2 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits. Outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan. The site has not been allocated for housing and is outside
of the settlement limit that has been defined for Blofield Heath. The application therefore conflicts with Policy GC2 of the DM DPD.

9.3 Blofield Heath is in the NPA and the JCS states that approximately 33,000 new homes will be built within the NPA by 2026. Policy 9 of the JCS states that smaller sites within the Broadland part of the NPA outside of the Growth Triangle must contribute 2,000 dwellings towards this target and allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environment and servicing considerations. Policy 15 of the JCS identifies Blofield Heath as a Service Village and states that land will be allocated for residential development within the range of 10-20 dwellings. However, as Blofield Heath is in the NPA, it may also be considered for additional development, if necessary, to help deliver the smaller sites allowance of 2,000 dwellings in the Broadland part of the NPA.

9.4 Consideration must also be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report (AMR) 2015-2016 for the Joint Core Strategy, January 2017. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply this application must be considered in the context of paragraph 49 of the NPPF, specifically 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”. Therefore paragraph 14 of the NPPF is relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or specific policies in this Framework indicate development should be restricted”.

9.5 Policy 15 of the Joint Core Strategy identifies Blofield Heath as a Service Village. Although the site is located outside of the defined settlement limit, the site lies less approximately half a mile from the village shop / Post Office, Primary School and Heathlands Community and Social Club. Although the site is located outside of the defined settlement limit, the new properties are located adjacent to other residential dwellings in accordance with Paragraph 55 of the NPPF and are therefore considered to be sustainable development.

9.6 Therefore, with regard to the deficit in the supply of land for housing within the NPA, Policy GC2 of the DM DPD is out of date and although it remains as a consideration of reduced weight, the specific benefits of this proposal (as examined below) are considered to weigh in its favour notwithstanding being located outside a settlement limit.
Site Specific Considerations

9.7 The Highway Authority has advised that they do not object to the proposal as the site is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, thus linking the site to the village services. The footpath is deliverable upon highway land. They have advised that the proposal indicates that Dawsons Lane can be widened to enable two cars to pass each other together with the junction improvements from land within the applicant’s control. Although comments from neighbours have questioned this, there has been no evidence submitted to challenge this assertion. The issue of parking would be dealt with under the Reserved Matters. The proposal does not therefore result in an adverse impact on highway safety.

9.8 The Lead Local Flood Authority has advised that the proposal falls below the threshold for their comments in relation to surface water drainage. Although this has been raised as an issue by local residents, the site is not located within an area at risk of surface water flooding nor is it on a surface water floodplain. However, there is a flood path to the south of the site at a lower level. It is therefore felt that similar to the recent approval to the east along Blofield Corner Road, it is possible to condition the submission of a sustainable drainage scheme as part of the Reserved Matters application. The condition will require that the surface water drainage can be discharged within the site and will not lead to surface water flooding off site.

9.9 In a response to the representations made, the agent has confirmed that arrangements for the collection of surface water would also be brought forward at the Reserved Matters stage. They state that they will ensure that flood risk from surface water is not increased or directed elsewhere and they will take account of existing ground conditions and soil structure. They also confirm that the applicant has the right to drain over the land to an adjacent outfall pipe and should this not be satisfactory, surface water will be directed to a catchment storage area on the land. Whichever method is chosen, the correct infrastructure will be put into place to deal with the modest increase in surface water output.

9.10 The application is not seeking approval of matters relating to layout, scale and the appearance of the site and consequently, it is difficult to provide any meaningful assessment on the impact of the development on residential amenity. Most properties that border the site from Blofield Corner to the south and Skedge Way to the east are bungalows. However it is not considered appropriate to subject a prospective planning permission to a condition requiring the construction of bungalows throughout the site as it is considered that further consideration can be given to this particular issue at detailed stage when the layout (internal and external) of the site is known and regard can be given to the advice set out in the Broadland Design Guide on suggested distances between first floor windows serving habitable rooms and private spaces (such as patio areas and habitable rooms) at neighbouring properties.
The indicative layout does show that the recommended 24m back to back distance between dwellings can be achieved.

9.11 The majority of the concerns raised by members of the local community have been addressed above. However, in terms of the impact on existing services in the parish, no evidence has been provided that demonstrate that this development (along with others that benefit from consent) will result in significant and demonstrable harm. Blofield is served by two GP surgeries (in Brundall and Blofield) and payment of CIL will contribute towards education provision.

Planning obligations

9.12 When taking account of Policy 4 of the JCS and Policies EN3 and RL1 of the DM DPD, the number of dwellings being proposed triggers contributions to be made towards affordable housing, equipped children’s play space, formal recreational space and informal open space. However, the Ministerial Statement of 28 November 2014 states that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000m².

9.13 In respect of open space, the Council would not seek the provision of open space on site as it is unlikely to be meaningful. Instead, it would seek the payment of commuted sums. There is a deficit in equipped children’s play areas and informal open space within the parish of Blofield and contributions would be sought towards these items.

Planning Balance

9.14 The planning balance should weigh up the relevant factors that this application raises. By building dwellings on a section of agricultural land, the character and appearance of the site will undoubtedly change. However, the site is featureless to the extent that it does not make a significant contribution to the character of the wider area. A more meaningful assessment of the impact of the scale, appearance and layout of the development on residential amenity can be made in subsequent detailed applications and despite concerns raised by local residents, no objections have been raised by the Highway Authority on matters relating to highway safety subject to the use of appropriate planning conditions and the LLFA consider the proposal to be minor development outside of their remit in relation to surface water flooding.

9.15 Blofield Heath is a reasonably sustainable location for some 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 without undermining the settlement hierarchy. The addition of a public footpath further along Blofield Corner Road will also result in a benefit.
9.16 In having regard to paragraphs 14 and 49 of the NPPF and those adopted and development plan policies that are up to date, it is considered that any adverse impacts resulting from this application will not significantly and demonstrably outweigh the benefits and the officer recommendation reflects this.

9.17 In summary, officers consider that the application proposes an acceptable use in a relatively sustainable location (in transport terms) without causing harm to residential amenity, the character and appearance of the surrounding area or highway safety and will not undermine the aims and objections of the development plan.

RECOMMENDATION: To delegate authority to the Head of Planning to APPROVE the application subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

(1) Off-site commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).

Conditions:

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

(2) Application for approval of the all of the reserved matters shall be made to the local planning authority not later than TWO years from the date of this permission. The development hereby permitted shall not begin later than TWO years from the date of approval of the last of the reserved matters to be approved.

(3) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

(4) As part of the reserved matters application, details of the surface water drainage scheme to serve the residential dwellings and access shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:
Planning Committee

(a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.

(b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.

(c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.

(d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.

(e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/ phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

(5) **SHC 10 (Variation)** Prior to any works starting on site the junction of Dawsons Lane with Blofield Corner Road shall be upgraded/ widened to a minimum width of 5 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

(6) **SHC 39A** Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the highway improvement works (new section of 1.8m wide footway linking from Dawsons Lane to existing footway on Blofield Corner Road to the east) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
(7) **SHC 39B** Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

(8) **SHC 05** Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

(i) Access arrangements.

(ii) Parking provision in accordance with adopted standard.

(9) The development hereby approved shall have a maximum combined floorspace (including garaging) of no more than 1,000 m² (gross internal area).

(10) No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling.

**Reasons:**

(1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

(4) To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014).

(5) In the interest of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(6) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the
environment of the local highway corridor in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

(8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway safety in accordance with policies TS3 and TS4 of the Development Management DPD 2015.

(9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.

(10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

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

(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 contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

(3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp

(4) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant’s responsibility to
ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council’s Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

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

(6) With reference to condition no: 10, the developer will have to meet the costs of supplying and installing the fire hydrant.
## SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

<table>
<thead>
<tr>
<th>Plan No</th>
<th>Application No</th>
<th>Location</th>
<th>Update</th>
<th>Page Nos</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>20172032</td>
<td>Land at Dawsons Lane, Blofield Heath</td>
<td><strong>Norfolk County Council Historic Environment Service:</strong>&lt;br&gt;The application was reviewed directly from the planning list and we do not consider that the proposed development will have any significant impact on the historic environment. Therefore we do not wish to make any recommendations for archaeological work. <strong>Two additional comments received:</strong>&lt;br&gt;Cllr David Ward – The access road is a private road and is not suitable for two-way traffic. The site is agricultural land outside of the settlement limit.&lt;br&gt;Mr G Coghlan, Bella Vista, Blofield Corner Road – We bought our property as it adjoined agricultural land and we love the wildlife. Dawsons Lane is not suitable for more properties or traffic. We would be concerned if the farmer cannot access the remainder of the agricultural land from Dawsons Lane as access from Laundry Lane would not suitable.</td>
<td>158 - 178</td>
</tr>
</tbody>
</table>