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.

20172032 – Land at Dawsons Lane, Blofield 28 March 2018
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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.
in the context of DM DPD Policy GC1 and NPPF Paragraph 14.

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.

Commuted 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 1,000m². 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
Reaso 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
Planning Committee

- 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 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 Biofield 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, 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 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) **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
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.