

AGENDA ITEM NO: 9/1(b)

Parish:	Watlington	
Proposal:	Outline Application: construction of 40 dwellings	
Location:	Land off Mill Road Watlington Norfolk	
Applicant:	Bennett Homes	
Case No:	15/01575/OM (Outline Application - Major Development)	
Case Officer:	Mrs K Lawty	Date for Determination: 26 January 2016

Reason for Referral to Planning Committee – To allow the Committee to consider an additional reason for refusal, in light of 5 year housing land supply.

Case Summary

The site (apart from the access) lies within an area designated as Countryside according to Local Plan Proposals Maps for Watlington. Watlington is classified as a Key Rural Service Centre according to Policy CS02 of the Core Strategy.

The application seeks consent for outline planning permission with only access being determined at this stage. The indicative site layout provides for 40 dwellings. This would result in a density of 21 dwellings per hectare and would provide 8 affordable housing units.

The application was considered at Committee on 5th April 2016 at which time the Committee resolved to grant permission subject to completion of a Section 106 agreement within 4 months.

That deadline has passed. In addition, the Council's position on 5 year housing land supply has changed, which is a significant material change in circumstances in so far as it relates to this particular application.

Recommendation

REFUSE

THE APPLICATION

The proposed development remains the same as that previously considered by Committee, and is as set out on the previous officer report (attached).

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS13 – Community and Culture

CS14 – Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

ASSESSMENT

The deadline set for issuing the decision under the previous resolution to approve expired on 5th August. The last communication with the applicant's representatives was on the 28th July at which time there were substantial differences between the draft agreement they proposed and one that would have been acceptable to the Council.

Consequently, the application could be refused in line with the earlier resolution on the following grounds (in summary):-

- Failure to secure a mechanism to secure affordable housing;
- Failure to secure a mechanism to ensure the provision and maintenance of open space;
- Failure to secure a mechanism to secure library stock; and
- Failure to secure a mechanism to secure a mechanism to secure the provision and maintenance of a Sustainable Drainage System.

However, a key consideration in the resolution to approve as set out in the attached report was the absence of a 5 year supply of deliverable housing sites. This issue was examined in detail at the inquiry into development at Heacham.

The Inspector dismissed the appeal and in doing so came to the conclusion on the basis of the evidence before him that the Council has a 5.81 year supply of land for housing.

Consequently, the Council's housing policies are up-to-date. The Inspector also concluded that significant weight should be attached to emerging Development Management policies and in particular DM2, which guides development outside settlement boundaries.

This is significant for this application in two regards:-

- The Inspector's conclusion means that this scheme for 40 units is not essential to meeting the need for developable sites; and, consequently
- The proposal is outside the settlement boundary, in the countryside and is now contrary to Development Plan policies.

CONCLUSION

In light of the failure to complete the Section 106, it is recommended that the Committee confirms its earlier resolution to refuse permission but also adds another reason for refusal to reflect the material change in circumstances regarding the Council's 5 year supply of land for housing, which means that development of the site is now contrary to Development Plan policies.

RECOMMENDATION:

REFUSE for the following reasons:

1. The proposed development falls outside the defined settlement boundary in an area defined as countryside. The proposal is therefore contrary to Core Strategy policies CS06, CS08 and CS12; Development Management policies DM2 and DM15; and to the provisions of the NPPF in particular Section 6 paragraph 55, Section 7 and Section 11. There are no material considerations that would override this in principle objection to the scheme.
2. The proposal has failed to provide a suitable mechanism to secure affordable housing as part of the development. Consequently, the development is contrary to policy CS09 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 and the provisions of the National Planning Policy Framework, in particular Section 6.
3. The development has failed to secure a suitable mechanism to ensure the provision and future management of adequate open space to meet the needs of future residents of the proposed housing. Consequently, the proposal is contrary to policies CS08, CS12; CS13 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011; the provisions of the National Planning Policy Framework, in particular Section 8; and to policy DM16 of the Site Allocations and Development Management Policies Development Plan Document.
4. The development has failed to secure a suitable mechanism to ensure the provision of community infrastructure in the form of additional provision of library stock to meet the needs of future residents of the proposed housing. Consequently, the proposal is contrary to policies CS13 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011.

5. The development has failed to provide an adequate mechanism to secure the provision and future maintenance of a Sustainable Urban Drainage System and consequently fails to ensure that the proposed housing will be adequately and sustainably drained in order to minimise the risk of flooding.
The proposal is therefore contrary to policies CS08 and CS14 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011; and to the provisions of the National Planning Policy Framework, including the Core Principles and Section 10.