

AGENDA ITEM NO: 8/2(k)

Parish:	Walpole	
Proposal:	Outline Application: Development consisting of 2 x 2 and 3 bedroom semi-detached houses to satisfy Affordable Housing requirement for overall site G.109.1 - 1 unit for rent, 1 unit for shared ownership	
Location:	Land On The South Side of Walnut Road Walpole St Peter Norfolk	
Applicant:	C/O Agent	
Case No:	17/02174/O (Outline Application)	
Case Officer:	Clare Harpham	Date for Determination: 24 January 2018

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation.

Neighbourhood Plan: No

Case Summary

The application site is within Site Allocation G109.1 Walpole St Peter – Land south of Walnut Road of the SADMP and as such development is acceptable in principle. The proposal accords with site allocation policy G109.1 of the SADMP as well as other relevant planning policies and material considerations.

Key Issues

Principle of Development
Design
Residential Amenity
Highways
Flood risk
Other material considerations
Crime and Disorder

Recommendation

A) APPROVE subject to conditions and completion of a S.106 Agreement being completed within FOUR months of the date of resolution to secure affordable housing provision.

B) REFUSE should the s.106 agreement not be completed within the timescale above, due to lack of affordable housing provision.

THE APPLICATION

The application site is currently agricultural land with a drain to the roadside (north) and western boundary. The application site forms the western end of Site Allocation G109.1 'Land south of Walnut Road' as defined by Inset G109 of the Site Allocations and Development Management Policies Plan 2016. Outline planning permission has already been granted to the eastern part of the allocation under reference numbers 16/01705/O and 16/01867/O.

The application is for outline planning permission for development consisting of 2 x 2 bedroom and 2 x 3 bedroom semi-detached houses (total 4 homes) to satisfy affordable housing requirement for overall site G.109.1 – 1 unit for rent, 1 unit for shared ownership. The access is being considered at this stage with all other matters reserved.

SUPPORTING CASE

The application has the support of officers, and has received no objection from any other principal consultee, however finds itself before Committee on the basis of objection from the Parish Council. It is unfortunate that the issues causing concern are matters which it is felt could have been addressed and re-assurance provided, namely:

It was considered by the Parish Council that there was an earlier application for the site for lesser numbers, and that this application in some way seeks to obtain an increase on that - this is not the case. There has been no previous granting of permission for the application site. Where confusion may have arisen is that adjacent sites have existing approvals, actually totalling 8 dwellings, this application is for a neighbouring site, and will take account of the S.106 requirements of the land identified as Preferred Option G.109.1 of the Local Development Framework.

The application site and the adjacent sites together form the land identified as G.109.1 – a site identified as providing for a minimum of 10 residential units. Clearly 12 units overall is little more than the minimum number expected.

The nature of the housing contained within the proposal is designed in such a manner as to meet the statutory requirements of Affordable Housing, as set down by the Borough Council. The local authority's Housing Delivery Team have identified the nature of housing sought to meet the Affordable Housing requirement. There is no alternative means of providing for compliance with such planning obligations on site G.109.1 which could avoid the mix of property types apparently causing concern to the Parish Council. Given that the adjacent sites are proposed as 4 bedroom market homes and that social housing requirements for the village are for 2/3 bedroom dwellings there is no alternative possible to the mix of housing indicated.

In terms of concerns over density it is evident that the proposed number of dwellings is well within accepted levels given the area of land concerned.

Clearly it is in the best interests of the promotion of the market housing on site to ensure that the Affordable Housing element is as aesthetically attractive and in keeping as possible. May I remind Members that this is an Outline application and the final appearance of the development will be examined under Reserved Matters.

PLANNING HISTORY

No planning history on the application site.

Planning history on sites immediately adjacent and within allocation G109.1 of the SADMP:

16/01705/O: Application Permitted: 01/08/17 - Outline Application: construction of two dwellings - Land On the South Side of Walnut Road

16/01867/O: Application Permitted: 01/08/17 - Outline Application: residential development - Land On the South Side of Walnut Road

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The original outline planning permission was granted for 10 homes and it now appears that there will be 12 homes. It is an inappropriate density of houses. It is out of keeping with the rest of the proposed development.

Highways Authority: NO OBJECTION

This is an allocated site under G109.1. It is evident that the site is without acceptable footway provision presently. However a footway section is proposed to link with the adjacent development on the plans submitted and the applicant is also in control of land to provide the appropriate levels of visibility.

The applicant has therefore demonstrated a vehicle access position that accords with the adopted standards and indicated a footway provision across the frontage of the site. In relation to access which is to be considered at this stage, the principle of the application is acceptable, subject to conditions relating to the footpath provision and a visibility splay.

Environment Agency: NO OBJECTION

It is for the LPA to determine if the Sequential Test has to be applied and whether there are other sites available at a lower flood risk as required by the NPPF. Strongly recommend that the mitigation measures provided within the submitted FRA prepared by Hereward Services and dated Nov 2017 are adhered to.

Please note that the site is within the River Nene Tidal Hazard Mapping area and it is indicated it could flood to a depth of 0.25m in the event of an overtopping or breach of the River Nene's flood defences. Your Authority must be satisfied with regard to the safety of people and the ability of the emergency services to access the area. Further advice included and an informative will be placed on the decision.

Internal Drainage Board: No comments received.

Housing Enabling Officer: NO OBJECTION

It is noted that this application is part of a wider site allocated as G109.1. The full site allocation is for 10 units. At present a 20% provision is required on sites capable of accommodating 10 or more dwellings and/or 0.165ha in Walpole St Peter. This is then further split into 70% being made available for rent and 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council. In this instance 2 units would be required, 1 for rent and 1 for shared ownership. This application is policy compliant, but

please note that if the total number of units across the site was to change this may affect the affordable housing contribution.

In order to meet the identified housing need the 3 bedroomed property should be shared ownership and the 2 bedroomed property offered at an affordable rent.

All affordable units should meet the standards required by the Homes and Communities Agency for the current affordable homes programme 2015-2018, including the space standard.

The affordable units must be transferred to a Registered Provider of Affordable Housing agreed by the Council at a price that requires no form of public subsidy.

A S.106 Agreement will be required to secure the affordable housing contribution.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION

The application states they plan to use mains for foul water disposal however there is no foul sewer in this location so foul water drainage will need to be handled on site. Conditions and informatives are recommended

Emergency Planning: Due to the location in an area at risk of flooding it is advised that the occupants' sign up to the EA FWD service and prepare a flood evacuation plan.

REPRESENTATIONS

No third party representations received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

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

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:

- Principle of Development
- Design
- Residential Amenity
- Highways
- Flood risk
- Other material considerations
- Crime and Disorder

Principle of Development

The application site is within Site Allocation G109.1 Walpole St Peter – Land south of Walnut Road of the SADMP and as such development is acceptable in principle provided it complies with Policy G109.1 which states the following:-

Land amounting to 0.85 hectares south of Walnut Road as shown on the Policies Map is allocated for residential development of at least 10 dwellings. Development will be subject to compliance with all of the following:

1. Submission of details showing how sustainable drainage measures will integrate with the design of the new development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
2. Development is subject to provision of improved pedestrian facilities along the northern (front) site boundary;
3. Provision of affordable housing in line with the current standards.

The application site forms part of site allocation G109.1 (western end) and not all of it. The indicative layout demonstrates 4 dwellings being accommodated on site (two pairs of semi-detached dwellings). The adjacent land which is within site allocation G109.1 already has outline planning permission under two separate planning applications (16/01705/O and 16/01867/O) for a total of 8 dwellings and therefore the total including the application site would be 12 dwellings. The indicative layout would therefore accord with Policy G109.1 which states at least 10 dwellings.

1. At the current time the layout and scale of the development is a reserved matter (the only matter subject to approval at this stage being considered is access). Therefore full details of SUDS are not known but will be required at reserved matters stage including the future management and maintenance.

2. Improved pedestrian facilities have been indicated on the indicative site plan and will be conditioned in line with the comments from the Highways Officer.
3. The provision of affordable housing on this application site and the neighbouring sites (16/01705/O and 16/01867/O)) are subject to a S.106 Agreement. The previously approved permissions are currently subject to a combined S.106 Agreement. The determination of this application will require an additional S.106 Agreement which has provision within it to supersede the previous agreement in order to provide the required affordable housing provision for the whole site allocation G109.1. There are no objections to the proposal from the Housing Enabling Officer who has confirmed that the proposal, which in combination with applications 16/01705/O and 16/01867/O will allow for a 20% on site provision which will comply with Policy CS09 of the Core Strategy 2011 and Policy DM8 of the SADMP.

Design

Layout – the development will provide a natural continuation of the existing housing along Walnut Road which is mostly characterised by frontage ribbon development and the linear form of the site allows for a continuation of this form of development at a density consistent with the surrounding area which is demonstrated by the indicative layout.

There is an objection to the proposal from the Parish Council objecting to the fact that the proposal will have an overall total of 12 rather than 10 dwellings. The Parish Council state that this is an inappropriate density of housing which is out of keeping with the area. Policy G109.1 clearly states that the site allocation must provide ‘at least’ ten dwellings and therefore to have slightly more than ten complies with this policy. The proposal is in outline form and so the final layout and design is not known; however indicative plans show two pairs of semi-detached dwellings which would have a similar scale and massing as the adjacent detached plots. Therefore whilst the plot sizes are smaller with regard to garden area they would not provide an over development of the site and would be in character with the adjacent development.

The final detail of the layout and design of the proposed dwellings, both on this site and the adjacent two sites within the site allocation is still to be determined at reserved matters stage.

Residential Amenity

Residential amenity is to be addressed at the reserved matters stage, but given the indicative size of plots and separation distances involved with properties opposite and to the west it is likely to be acceptable.

Highways

There are no objections to the proposal as the applicant has demonstrated that the point of access accords with visibility standards and that a footway has been indicated across the front of the site (which also accords with Policy G109.1) and will be conditioned. The indicative layout shows that parking and turning could be achieved in accordance with current standards.

Flood risk

The application site is within Flood Zone 3 of the EA Flood Risk Maps.

There are no objections to the proposal from the Environment Agency which recommends a condition relating to finished floor levels and flood resilience measures, which the agent has confirmed as raising finished floor levels, provision of a safe refuge at first floor level, prohibition of ground floor sleeping accommodation, provision of a flood evacuation plan prior to occupation and registration with the EA Floodline Direct Service.

The site was allocated as part of the Site Allocations process and therefore has already been assessed for flood risk and as such the sequential test need not be applied as stated within para 104 of the NPPF and Policy DM21 of the SADMP.

No objections have been raised by the IDB or Emergency Planning Officer.

Other material considerations

CSNN has requested a condition regarding foul and surface water drainage as there is no mains sewer in the locality. Given that additional information is required regarding SUDs a condition is recommended.

Crime and Disorder

There are no issues arising from this application relating to crime and disorder.

CONCLUSION

Overall the proposed development accords with the aims of sustainable development in accordance with the NPPF, Policies CS01, CS02, CS06, CS09 and CS11 of the Core Strategy 2011 and Policies DM2, DM8, DM15, DM17, DM21 and G109.1 of the Site Allocations and Development Management Policies Plan 2016 and as such Members are recommended to approve the application.

RECOMMENDATION:

A) APPROVE subject to conditions and completion of a S.106 Agreement being completed within FOUR months of the date of resolution to secure affordable housing provision:

- 1 Condition Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plan 17-G109.1-200B with regard to the points of access only.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 6 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 7 Condition Notwithstanding details received, no development shall commence until full details of surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall include the following:-
 - i) provide information about the design of the drainage system, including percolation tests with infiltration rates (including storm period and intensity), the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a period for its implementation; and
 - iii) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage details shall be constructed as approved prior to the first occupation of dwellings hereby approved.

- 7 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 8 Condition The development hereby approved shall be carried out in accordance with the Flood Risk Assessment by Hereward Services dated November 2017 and the email from the agent dated 22nd February 2018 with regard to the following:-

- Finished floor levels within the development hereby approved shall be set no lower than 300mm above the existing surrounding ground levels on the site, as shown on drawing number 17-G109.1-200B.
 - Flood resilience measures shall be incorporated into the buildings design as stated within the email dated 22nd February 2018. These measures shall be
 - the provision of a safe refuge at first floor level,
 - no ground floor sleeping accommodation,
 - the provision of a flood evacuation plan prior to occupation
 - registration with the Environment Agency Floodline Direct Service prior to occupation.
- 8 Reason In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 9 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 9 Reason In the interests of highway safety.
- 10 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works (Site frontage footway with vehicle access) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 10 Reason 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.
- This also needs to be a pre-commencement condition as these fundamental details need to be properly designed at the front end of the process.
- 11 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Condition 10 of this planning permission shall be completed to the written satisfaction of the Local Planning Authority.
- 11 Reason To ensure that the highway network is adequate to cater for the development proposed.

B) REFUSE should the s.106 agreement not be completed within the timescale above, due to lack of affordable housing provision.