

Reference: 06/15/0673/O

Parish: Martham

Officer: Miss G Manthorpe

Expiry Date: 15/02/16

Applicant: Amber Real Estate Investments

Proposal: Outline planning application for the erection of 55 dwelling houses with associated open space and infrastructure.

Site: Rollesby Road Martham east Broiler Farm Martham.

REPORT

1. Background / History :-

1.1 The site comprises 2.36 hectares of broiler farm and adjoining agricultural land; the planning statement notes that the use is ongoing at the site however substantial investment would be required to maintain it as an ongoing concern. The operating company, Two Sisters, has stated within the planning statement that the site is not an essential part of the business operation and is not needed to serve the businesses food production requirements.

1.2 The application site is triangular in shape and generally flat. The broiler farm buildings and associated infrastructure are located towards the southern edge of the site with undeveloped land to the north and east.

1.3 There have been previous applications on the site since 1990 as detailed below:

06/91/0327/F – Retention of poultry houses - Approved

06/11/0808/EU – Application for certificate of lawfulness for dwelling house (bungalow) on existing poultry unit - Certificate granted.

2 Consultations :- All received consultation responses are available online or at the Town Hall during opening hours.

2.1 Parish Council – The Parish Council object to the application on the grounds that localised flooding had not been taken into account by the developer. The Parish

Council had contacted relevant agencies. The Council is concerned over localised flooding and does not want these properties built until this has been accepted and addressed.

2.2 Neighbours – There have been 17 neighbour objections to the application, a summary is below and examples are attached to this report:

- How will we know affordable homes will go to local people?
- Doctors won't be able to cope.
- Insufficient capacity at schools.
- Loss of agricultural land.
- Martham is turning into a small town.
- Additional noise, vehicle and pedestrian movement.
- Insufficient visitor parking.
- Adverse impact on existing property values.
- Acacia Avenue is not an appropriate access.
- Overlooking.
- Existing properties are poorly sound insulated.
- Willow Way will become a rat run.
- Construction traffic using the lane will cause noise disturbance and overlooking issues.
- Construction noise.
- Inadequate surface water drainage.
- Access should be from existing agricultural access.
- Other developments will change the village.
- Communal parking should be provided.
- Impact on wildlife.
- Teenagers will use the open space.
- Currently difficulties parking.
- No mention of traffic calming.
- The first plot is a two storey house overlooking a bungalow.

2.3 Highways – No objection and conditions recommended.

It is accepted that there may well be riparian rights to discharge surface water from this site and therefore any future development via this culvert. The Highway Authority would not wish to adopt a highway drainage system that is reliant on a culvert owned by a third party where we had no knowledge of its size and / or effectiveness. Similarly if the existing watercourse is diverted it cannot be located beneath the adopted highway, unless it becomes a public sewer adopted by Anglian Water. The County Council would not adopt a land drain / ordinary watercourse.

As a consequence of the additional information supplied by the applicant I would accept that a suitable means of surface water drainage is likely to be possible and would not wish to raise a highway related objection to the application, subject to the conditions previously requested. However, for the avoidance of doubt, the applicant should be aware that subject to the detailed design of the drainage proposals the reliance on an unknown downstream culvert could potentially have an impact on whether the County Council is willing to adopt the proposed roads, etc.

It was confirmed that subject to promoting a 20mph zone on the existing estate (ie Rowan Road, Acacia Avenue & Willow Way) with any associated minor traffic calming measures and provision of a suitable gateway feature to enhance the entrance to the village from Rollesby Road and aid compliance with the speed limit, the County Council would have no highway related objection in principle to the redevelopment of the former Broiler Farm.

2.4 IDB – The internal drainage board have that stated subject to getting more details of the flow rates proposed, the applicant getting land drainage consent and (as part of that) paying the one off development contribution – no objection to the development proposed.

2.5 Building Control – no objection.

2.6 Environmental Health – No comments received

2.7 Strategic Planning – No comments received.

2.8 Lead Local Flood Authority – No comments to make.

2.9 Environment Agency – No objections subject to conditions. The conditions requested are in relation to the contamination to prevent the pollution of the water environment particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses.

The Environment Agency goes on to note the requirements in relation to SuDS, listing restrictions and requirements for the use of SuDS and the infiltration depths that are applicable at the site. Full comments are attached to this report.

2.10 Tree and Landscape Officer – The trees located at the old railway line are worthy of retention plus one oak tree. The removal of lesser specimens is not objected to as long as the replanting schedule is suitably robust. Following the development the site should be inspected for trees worthy of preservation orders.

2.11 Public Rights of Way Officer – There are no public rights of way directly affected by the proposal nor are there any proposed with the development. There are two nearby public rights of way that could be linked to the development and therefore the wider community opening up the wider public rights of way network towards Rollesby in particular.

2.12 Norfolk Fire service - Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential development at a cost of £812 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary

Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

2.13 Library Contribution - A development of 55 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of Martham library. It has been calculated that a development of this scale would require a total contribution of £3,300 (i.e. £60 per dwelling). This contribution would be spent towards IT equipment and infrastructure.

2.14 Norfolk County Council Education - The County Council expects the following number of children to arise from any single new dwelling:

- Nursery Age (3-5) – 0.096 children;
- Primary School Age (5-11) – 0.261 children;
- High School Age (11 – 16) – 0.173 children; and
- Sixth Form School Age (16-18) – 0.017 children.

These figures are used as demographic multipliers to calculate the education contribution arising from a development.

The County Council does not seek education contributions on 1-bed units and only seeks 50% contributions in relation to multiple bedroom flats. Therefore, two multi-bed flats would attract the same contributions as one family house equivalent.

The current situation at local schools is as follows:

School	Capacity	Numbers on Roll (May 2015)	Spare Capacity
Martham Primary School	420	331	+89
Flegg High(11-16)	950	811	+139

The table below shows the number of houses (or family house equivalents) needed to generate a single child place based on the demographic multiplier above:

Table 3 Number of Dwellings Needed to Generate 1 Child Place

Sector	Nursery	Primary	High	Sixth Form
No. children	12	4	7	36

As there is sufficient capacity available at both Martham Primary School and Flegg High School no contributions will be sought for primary or high school education provision on this occasion.

- 2.15 Historic Environment Service – no further archaeological works requested through verbal discussion. Archeology report submitted as part of the application and discussed with Historic Environment Service, no written response received at time of writing.
- 2.16 Natural England - The Habitats Regulations Assessment (HRA) of the adopted Great Yarmouth Core Strategy identified that increased recreational activity by residents of new dwellings within the borough may have a cumulative, 'in combination' disturbance impact on a number of N2K sites.

Policy CS11 of the Core Strategy therefore states that “Relevant development will be required to deliver the mitigation measures identified in the Natura 2000 Sites Monitoring and Mitigation Strategy”. Furthermore, Policy CS14 states that your authority will “Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures” as required.

In our previous advice (our ref: 173864, dated 17th December 2015) we advised that your authority should decide whether this development is classed as 'relevant development' with regards to Policy CS11 and therefore whether

proportionate developer contributions to the Natura 2000 Sites Monitoring and Mitigation Strategy are required. In line with the findings of the Core Strategy HRA, Natural England advises that this development, due to its proximity to the aforementioned N2K sites, should be classed as 'relevant development'. Proportionate developer contributions to the emerging Natura 2000 Sites Monitoring and Mitigation Strategy should therefore be secured before a likely significant effect to N2K sites can be ruled out in combination with other plans/projects.

- 2.17 Anglian Water – The submitted surface water management strategy is not acceptable and a condition is requested requiring the submission of another strategy. Following these comments an amendment to the application form has been made which states that the surface water will not be drained to Anglian Water assets in line with the FRA and Drainage assessment. Further comments have been requested and have not yet been provided. Should they be provided prior to committee they shall be verbally reported.

A further condition regarding Anglian Water assets has been requested. The sewerage system at present has available capacity for these flows.

3 Local Policy :-

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.
- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.
- 3.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.
- 3.5 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to

retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

4 National Policy:- National Planning Policy Framework (NPPF)

- 4.1 The presumption in favour of sustainable development is set out under paragraph 4.
- 4.2 Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. 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.
- 4.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
 - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
 - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 4.4 Paragraph 42: The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extension to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.
- 4.5 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- 4.6 Paragraph 111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
- 4.7 Paragraph 112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

5 Core strategy – Adopted 21st December 2015

- 5.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. Martham is identified as a Primary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.
- 5.2 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The site is within affordable housing sub-market area 1 northern rural with a threshold of 5 delivering 20% affordable housing.
- 5.3 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 5.4 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.
- 5.5 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

6 Interim Housing Land Supply Policy (July 2014)

- 6.1 This policy only applies when the Council's Five Year Housing Land Supply utilised sites identified in the Strategic Housing Land Availability Assessment (SHLAA).
- 6.2 New Housing development may be deemed acceptable outside, but adjacent to existing Urban Areas of Village Development Limits providing the following criteria, where relevant to development, have been satisfactorily addressed: inter alia points a to n.

7 Appraisal

- 7.1 The site is located to the south of Martham, with residential development on its western boundary and abuts a dismantled railway on its north-eastern side. The whole of site MA18, as identified in the Strategic Housing Land Availability Assessment, of which only part is subject to this application, is flat and generally square in shape with a triangular piece of land, separated by a ditch, attached to the north of the site. The site consists of a disused broiler farm with 2 long chicken sheds, ancillary equipment (feeders, sheds) and bungalow in the eastern half, and arable farmland in the western half and northern triangle.
- 7.2 The site is bounded by a hedge and line of tall poplar trees in the west; spindly hedges and wire fencing in the northwest; mature hedges and trees in the east; and bramble hedges with small trees around the northern triangle. A line of trees runs through the site north to south between the chicken sheds and the arable field. To the north of the chicken sheds is an area of trees and scrub and a drainage ditch running west to east. Surrounding land uses are residential development in the west and northwest and arable farmland to the south and east. Site is high grade agricultural land (Grade 1).
- 7.3 The site is adjacent to the village development limits of Martham and is considered to have good access to a range of facilities such as local shops, a secondary school and medical facilities. In terms of highways and access, Norfolk County Council indicated that subject to local improvements and achieving a safe access the highways authority would not object to the site. In terms of environmental suitability, the southern aspect of the site is in close proximity to an historic parkland site however the overall risk of adverse effects on site are considered minimal as Natural England did not raise any objections to the site.
- 7.4 It was indicated by Anglian Water as part of the SHLAA consultations that upgrades would be required to the sewerage infrastructure, requiring a larger wet well at the pumping station and flow attenuation. In addition there is no capacity in the existing surface water sewers therefore alternative drainage

measures such as SuDS may need to be explored if appropriate. There are no other major constraints identified which may hinder the suitability of the site for future housing development.

- 7.5 The site is a suitable and achievable site for new housing development and it has been confirmed as available in the next 5 years. The site would have a net developable area of approximately 75% providing 50 new homes and at a rate of approximately 25 dwellings per year in line with similar sites in Martham.

8 Assessment :-

- 8.1 The application is an outline application with appearance, landscaping, layout and scale to be decided by reserved matters application should this outline application be approved. The application includes the access which would be decided as part of the current application. There are indicative plans submitted as part of the application to give an indication on the potential layout for the site although these are not part of the application and are indicative only.
- 8.2 The access proposed for the development will be off Acacia Avenue which is accessed via Willow Way off Rollesby Road. The highways comments include traffic calming measures and the introduction of a 20mph zone to seek to mitigate the potential harm that is caused by the increase in traffic. There are a number of objections to the additional traffic generated and the impact that this will have on the surrounding area and occupiers. Objections have also been made about the current lack of parking that is available. Although the application is outline only a condition can be applied to the planning permission to require visitor parking at the site. This is currently shown on the indicative plans and could be requested as part of a condition to be included, subject to detailed design and layout, on the reserved matters application.
- 8.3 Concerns have been raised by objectors and the Parish Council regarding the surface water drainage on the site. The flood risk assessment states that the surface water drainage will utilise shallow infiltration methods in the form of permeable pavements and the drainage system will be designed not to allow flooding to properties for the 1 in 100 + climate change event. The FRA states that the drainage design shall be finalised in the reserved matters stage and shall be in accordance with the Building Regulations. Following Anglia Waters original consultation response the application form has been amended to state that SuDS will be utilised as opposed to connection to Anglian Water assets in line with the Flood Risk Assessment and Drainage Statement.
- 8.4 Correspondence between Anglian Water and the agent have provided information stating that provided the surface water disposal is not via connection to the public sewer then there will be no adverse comments from Anglian water. Following the

amendment of the application form Anglian water have been asked for confirmation and consultation response. This had not arrived at the time of writing. This response shall be reported should it be received prior to Development Control Committee. In the absence of a consultation response Anglian Water do not object to the application but request a condition requiring further information regarding the surface water management strategy to be submitted to and approved by the Local Planning Authority in consultation with Anglian Water.

- 8.5 Norfolk County Council Highways requested further information in relation to the drainage for the site and have been satisfied that a suitable means of drainage can be provided to the site.
- 8.6 The Internal Drainage Board have confirmed that permission will need to be sought for discharge to an existing watercourse and there will be a fee associated with the discharge. Highways have also commented with regards drainage and have stated that they will not adopt any drainage nor would roads be adopted should the flow travel longitudinally under the highway. The Lead Local Flood Authority has not commented on the application. The developer is aware of these comments.
- 8.7 Concerns have been raised regarding the access to the site for the construction traffic. A condition has been requested by Highways for the submission of a construction management plan. This plan will detail the access routes for the construction traffic to enter and leave the site and will be conditioned to be complied with for the duration of the development should the application be approved. Concerns have been raised from residents that should the agricultural access be used there will be a loss of privacy. The access shall be looked at as part of the construction management plan although this has not been agreed at present. It is noted that the current agricultural access is the existing access for the agricultural traffic to the site.
- 8.8 Concerns have been raised regarding the utilisation of Acacia Avenue as access. Highways have requested a condition that states that no works are to commence on site unless otherwise agreed in writing until a detailed scheme for a 20mph zone on Rowan Road, Willow Way & Acacia Avenue has been approved and the Traffic Regulation Order has been promoted by the Highway Authority. This traffic calming can be adequately conditioned and should alleviate the concerns raised in regards the development by restricting the speeds that vehicles can enter the proposed development.
- 8.9 It is noted that there will be increased vehicular movements and this will have an impact on the current occupiers of the Willow Way, Acacia Avenue and Rowen Road. The impact of the increased vehicular movements is not sufficient for a

recommendation of refusal of a planning permission. The National Planning Policy Framework looks to promote sustainable development which by its nature encourages the creation of homes adjacent existing settlements which is also in line with the Interim Housing Land Supply Policy.

- 8.10 Natural England requested further information to be submitted as part of the application, this was submitted and included information pertaining to a mitigation payment for the impact that the development would have on the Natura 2000 site. Although the Natura 2000 supplementary planning policy document is not yet adopted the mitigation contribution has been requested and included on previous applications and the applicants have agreed to this contribution.
- 8.11 The site is currently in use as a broiler farm with necessary buildings, bungalow and adjoining agricultural land. The use of previously developed land to provide housing is encouraged by the National Planning Policy Framework. The land in question also comprises grade one agricultural land. To meet the housing needs of the borough by 2031, the majority of new housing development occurring in the Primary Villages, such as Martham, is likely to take place on greenfield land outside the currently adopted development limits. A portion of the site being previously developed land is in line with the National Planning Policy Framework and is less detrimental than the wholesale loss of agricultural land.
- 8.12 The scale and types of dwellings cannot be assessed as the application is outline only. The density is acceptable at 23.3 dwellings per hectare. An indicative plan demonstrates that there is provision within this density to provide some on site open space. It is noted, with specific regards drainage, on site open space and private drives that a management agreement shall need to be entered into as part of the section 106 agreement should the application be approved to ensure continued effective management without reversion to the Local Authority. It is noted that with regards the existing water course on the land notwithstanding any management agreement riparian ownership will be in effect.
- 8.13 The design and access statement includes information on the trees and is looked at in addition to the landscape assessment. The retention of the trees, as noted by the Tree and Landscape Officer and within the Design and Access Statement, can be conditioned to ensure that the specimens of value are retained. The trees to be retained shall also assist in reducing the overlooking to the properties to the east. There are no significant adverse effects from the proposed development to the listed building to the east given the distance and separation from the setting of the listed building.
- 8.14 The proposed development lies outside of the village development limits however the Interim Housing Land Supply Policy (IHLSP) has been drafted and adopted in order that developments, specifically those for housing outside of the village

development limits can be assessed with a view to meeting housing targets prior to the adoption of the site specific allocations. The IHLSP is a material consideration and as such shall be afforded appropriate weight as a means of assessing development for housing outside of village development limits. The IHLSP is only to be utilised when the Council's five year housing land supply policy includes 'deliverable' sites identified through the Strategic Housing Land Availability Assessment. The site, as part of a larger site, has been assessed as part of the Strategic Housing Land Availability Assessment as site MA18 and therefore the IHLSP is applicable.

- 8.15 The Core Strategy identifies that 30% of new housing development should be located within key service areas or primary villages. The application, being located within the village of Martham, a primary village has access to village amenities including schools and shops. The development is, in accordance with the Strategic Housing Land Availability Assessment, a sustainable location.

9 RECOMMENDATION :-

- 9.1 It is accepted that the application is outside of the village development limits and contrary to the adopted Borough Wide Local Plan 2001 however the site has been identified as developable and deliverable and there is no objection in planning terms to the development going ahead prior to the formal adoption of the site specific allocations subject to conditions to ensure an adequate form of development and submission of reserved matters. The Interim Housing Land Supply Policy seeks to assist in meeting the Local Authorities housing targets and notes that sites that come forward should commence development within two years, it is therefore recommended that the time for the submission of reserved matters is one year from the date that the permission is issued as opposed to the standard three years. With the inclusion of this condition and the submission of reserved matters the application is in line with the Interim Housing Land Supply Policy (2014).
- 9.2 The recommendation is to approve the application subject to conditions as recommended by consulted parties and those to ensure a satisfactory form of development and obligations as set out by Norfolk County Council and mitigation measures in line with the aims of the Natura 2000 Sites Monitoring and Mitigation Strategy. Should members be minded to approve the application the recommendation is such that the permission is not issued prior to the signing of an agreement under section 106 for provision for infrastructure, mitigation, affordable housing, children's play equipment/space and management agreement.