



AGENDA

NOTE: In the case of non-members, this agenda is for information only

- Committee** - **PLANNING COMMITTEE**
- Date & Time** - MONDAY, 6TH AUGUST, 2012 AT 9.30 am
- Venue** - ANGLIA ROOM, THE CONFERENCE SUITE,
ELIZABETH HOUSE, DEREHAM

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

NOTE

Ward Representatives wishing to speak on a particular application are asked to inform the Usher, Mrs H. Burlingham, well in advance and arrive at the meeting by **9.30am** as the items on which the public wish to speak will be taken first in order of the agenda.

IN THE EVENT OF DEFERRED ITEMS APPEARING ON THE AGENDA, WARD REPRESENTATIVES WILL BE NOTIFIED ACCORDINGLY IN ADVANCE.

THE ORDER OF THE MEETING WILL VARY TO ALLOW FOR PUBLIC SPEAKING AND WILL NOT FOLLOW THAT OF THIS AGENDA

PERSONS ATTENDING THE MEETING ARE REQUESTED TO TURN OFF MOBILE PHONES

VOTING:

If the first vote is lost in considering an application, a new proposal will be requested (eg a vote for approval, if lost, does not automatically mean “refused”). On a tied vote, the Chairman has a casting vote, if he/she wishes to use it. It is necessary for summary reasons for approvals or refusals to be identified in each case.

Member Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE
Date: Thursday, 26 July 2012

PLANNING POLICY NOTE

THE STRENGTH OF PLANNING POLICY IN DETERMINING PLANNING APPLICATIONS

The Planning process is set up, **IN THE PUBLIC INTEREST**, to protect the public from the unacceptable planning activities of private individuals and development companies. Planning is primarily concerned to deal with issues of land use and the way they affect the environment.

The Council has a DUTY, through the Planning & Compulsory Purchase Act 2004, to prepare **Local Development Documents (DPDs)** to provide a statutory framework for planning decisions. The **Development Plan** for Breckland **currently** consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Core Strategy and Development Control Policies document. This was adopted by Breckland Council on 17th December 2009 and is the local starting point in the determination of planning applications. Breckland Council has also adopted its Site Specific Policies and Proposals DPD, on 19th January 2012. The document allocates specific areas of land for development and revised settlement boundaries.

Breckland's Plan contains the Council's planning policies, which must be consistent with Government policy which is currently the National Planning Policy Framework (NPPF) and accompanying technical guidance.

The full public scrutiny of the Council's proposals will give the Plan an exceptional weight when dealing with planning applications.

This shift towards a "Plan-led" planning system is a major feature of planning legislation. The Planning & Compulsory Purchase Act 2004, states that ***planning applications should be determined in accordance with the policies of the Plan, unless material considerations which are relevant to planning indicate otherwise.***

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

Unless there are special reasons to do otherwise, planning permissions "run with the land", and are NOT personal licences.

The factors to be used in determining applications will relate to the effect on the "public at large" and will NOT be those that refer to private interests.

Personal circumstances of applicants "will rarely" be an influencing factor, **and then, only** when the planning issues are "finely balanced".

THEREFORE we will:

- **acknowledge the strength of our policies,**
- **be consistent in the application of our policy, and**
- **if we need to adapt our policy, we should do it through the LDF process.**

Decisions which are finely balanced, and which contradict policy will be recorded in detail, to explain and justify the decision, and the strength of the material planning reasons for doing so.

LOCAL COUNCILS

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that comments received are taken into account. Where we disagree with those comments it will be because:

- Districts look to "wider" policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.

PART A
ITEMS OPEN TO THE PUBLIC

	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 9 July 2012.	1 - 10
2. <u>APOLOGIES & SUBSTITUTES</u> To receive apologies for absence.	
3. <u>DECLARATIONS AND REPRESENTATIONS RECEIVED</u>	
4. <u>CHAIRMAN'S ANNOUNCEMENTS</u>	
5. <u>REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA</u> To consider any requests from Ward Members, officers or applicants to defer an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.	
6. <u>URGENT BUSINESS</u> To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act 1972.	
7. <u>LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)</u> To receive an update.	
8. <u>DEFERRED APPLICATIONS</u> To consider applications deferred at previous meetings including some, but not all, of those shown on the attached Schedule of Deferred Applications.	11
a) <u>Bradenham: Land at Wood Farm, Church Lane: Erect 2 100m wide turbines, access tracks, crane pad areas, electricity sub-station and temp construction compound: 3PL/2011/0854/F</u> To consider the application following the site visit. Please note: This application will be the first to be considered for determination after the meeting start time of 9.30 am.	12 - 22

9. SCHEDULE OF PLANNING APPLICATIONS

Page(s)
herewith

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To consider the Schedule of Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
1	Paul Rackham Ltd	Roudham/Larling	
2	Abel Homes Ltd	Watton	
3	Norfolk County Council	Swaffham	
4	Norfolk County Council	Swaffham	
5	Breckland District Council	Thompson	
6	Mr & Mrs R W Key	Whinburgh/Westfield	
7	Mr & Mrs D Smith	Dereham	
8	Mr Ray Newton	Yaxham	

10. FOR INFORMATION : NORTH ELMHAM: PARK FARM, HEATH ROAD: AGRICULTURAL NOTIFICATION: 3AG/2012/0020/AG

An agricultural notification was submitted by the wife of a Ward Member. A decision had to be issued within 28 days. Therefore a decision was made under delegated powers with authority given by the Chairman of the Planning Committee.

11. APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

61 - 77

Report of the Director of Commissioning

Members are requested to raise any questions at least two working days before the meeting to allow information to be provided to the Committee.

12. APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

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13. ENFORCEMENT ITEMS (FOR INFORMATION)

79 - 82

14. APPEAL DECISIONS (FOR INFORMATION)

APP/F2605/A/12/2170350 : Land at Norwich Road, Besthorpe : Appeal against the refusal to grant planning permission for a new dwelling and annex with associated cart lodge style garage and means of access, by Mrs R Shearwood : Reference : 3PL/2011/1338/F
Decision : Appeal Dismissed

APP/F2605/A/12/2170390 : Land at Norwich Road, Besthorpe NR17 2LA : Appeal against the refusal to grant planning permission for two new dwellings and associated garaging and means of access by Mr S Rogers : Reference : 3PL/2011/1334/F
Decision : Appeal Dismissed

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 9 July 2012 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S.G. Bambridge

Councillor C Bowes

Mr T R Carter

Mr P.D. Claussen

Mr T.J. Lamb

Mrs J A North (Vice-Chairman)

Mr W. R. J. Richmond

Mr M. S. Robinson

Mr F.J. Sharpe

Mrs P.A. Spencer

Mr N.C. Wilkin (Chairman)

Mrs S Armes

Also Present

Mr C G Carter (Ward Representative)

In Attendance

Paul Jackson

Heather Burlingham

John Chinnery

David Spencer

Jane Osborne

Nick Moys

Mike Brennan

Sarah Robertson

James Stone

Andrew Grimley

Michael Horn

Mr Davis

Planning Manager

Assistant Development Control Officer*

Solicitor & Standards Consultant

Joint Deputy Planning Manager

Committee Officer

Principal Planning Officer (Major Projects)*

Principal Planning Officer*

Planning Policy Officer*

Senior Planner*

Principal Environmental Health Officer

Solicitor to the Council

Noise Consultant

* Capita Symonds for Breckland Council

64/12MINUTES

It was noted that with regard to Minute No. 59/12 (a) Item 1 Snetterton, the job title of James Stone should be, Senior Planner. Page 6 paragraph 5, should read Anglia Farms and not Anglian Farms, and the Snetterton and Thetford Area Action Plan, should have read Attleborough and Snetterton Area Action Plan within paragraph 6 of the same item number.

Subject to the above, the Minutes of the meeting held on 11 June 2012 were confirmed as a correct record and signed by the Chairman.

65/12DECLARATIONS

The Solicitor reminded Members of the changes made following the Council meeting held on 5 July 2012 with regard to the new Code of

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Conduct.

66/12CHAIRMAN'S ANNOUNCEMENTS

Cllr S Armes was welcomed to the Planning Committee. The Chairman thanked Cllr C Clark for all his valuable work whilst being a member of the Planning Committee.

67/12REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

Item 2 of Agenda Item 10, Schedule of Planning Applications, Old Buckenham 3PL/2012/0193/F had been deferred prior to the meeting.

68/12LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

The Planning Manager advised that the Thetford Area Action Plan had been adopted by Council on 5 July 2012. Members would be updated as and when appropriate.

69/12FIVE YEAR HOUSING LAND SUPPLY STATEMENT 2012

The purpose of the report was to update Members on Breckland's five year housing land supply, which was a requirement under the National Planning Policy Framework and was presented by Sarah Robertson, Planning Policy Officer.

Questions asked by Members covered the definition of an appropriate location, consultation with villages, and timescale.

Members noted the contents of the report. The five year housing land supply statement represented a factual statement on the existing situation and would need to be taken into consideration in the determination of planning applications, as set out within the housing implementation strategy.

70/12SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :

- (a) Item 1 : Bradenham : Erect 2 100m wind turbines, access tracks, crane pad areas, electricity sub-station & temp construction compound : Applicant : Ecotricity (Next Generation) Ltd : Reference : 3PL/2011/0854/F

The Principal Planning Officer presented the report, which was for the erection of 2 x 100m wind turbines, access tracks, crane pad areas, electricity sub-station and temporary construction compound, outside the Settlement Boundary. A previous application (3PL/2002/004/F) was refused on 17 December, 2002, as was 3PL/2004/0313/F on 4 January

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2005.

79 letters of objection had been received from local residents and the areas they referred to were outlined in the report. Additional objections received since the report was published covered issues of landscape impact, distraction to road users and inadequate access. 130 letters of support had been received.

It was considered by Officers that there would be no unacceptable impacts on the local area with regard to cultural heritage, landscape, visual amenity, aviation safety/radar and protected species. Furthermore, it was felt that the issues of noise and shadow flicker relating to local and residential amenity had been adequately addressed by the applicant, subject to appropriate conditions being imposed. The application was accordingly recommended for approval subject to conditions.

Mr Hewett, Shipdham Parish Council, advised Members why the previous applications had been dismissed. He believed that the express wishes of local residents could not be conditioned away. If localism meant anything, the proposal constituted an unacceptable planning application and should be rejected.

Mr Reading, Bradenham Parish Council, stated that they had unanimously declined the application on six policy grounds with the main objection being that of noise pollution. The development would be too close to neighbouring properties and would be visibly dominant and he urged Members to refuse the application due to the adverse affects it would have.

Mr Hinchliffe, Supporter, had been a village resident for 24 years and spoke on behalf of CANAS who believed that after 10 years all legitimate concerns had been met and satisfied and they fully supported the proposal. They did not believe that CATS represented the majority of village opinion.

Mr Hill, Objector, was a neighbouring farmer, who stated the application was opposed by both young and old. There would be constant noise intrusion and shadow flicker would affect working conditions. He questioned the applicant's interest in the environment. The proposal would be a personal tragedy for him as well as that of the landscape, due a woodland planted two years ago as a haven for wildlife which would be dominated by huge structures.

Dr Hoare, Objector, commented that there would be noise problems as the turbines would be too close to residential properties. The applicant had persisted in understating the noise impact. The proposed turbines would be louder than

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those in the previous applications. It was a very quiet area, and they had been told the noise would be audible indoors at night. The turbines would be much closer than those sited in Scotland and Wales (where there are minimum separation distances), and Lincolnshire, Milton Keynes and Wiltshire. Daffy Green's chief attraction was that of its tranquillity.

Mr Kite, CATS Objector (Campaign Against Turbines in Shipdham & Bradenham), believed they had been subjected to corporate bullying by the applicants. The majority of people objected. Reasons given by him to refuse were that there would be a loss of amenity, the proposal breached Breckland Council's landscape guidance, the turbines would be noisier than those previously applied for and would be audible in houses at night, along with localism.

Mr Muir, Applicant, stated that 130 letters of support had been received against 80 who were opposed. The proposal was different to those previously submitted. The Environmental Statement had covered all issues.

Breckland Council's Noise Consultant, Mr Davis explained that the turbines had been relocated to different positions to those previously submitted. Noise levels in this proposal would be significantly below those contained in Government guidance. Conditions imposed would be more restrictive than those referred to in ETSU-R-97.

Mr Carter, Ward Representative was present on behalf of Bradenham Parish Council who opposed the application. He had received no less than 62 letters of objection from public in his Ward. No letters in favour had been received apart from the landowner himself where the turbines were proposed. The issue that had gone on for 10 years wasted time and effort. He stood strongly opposed to the development.

The Solicitor to the Council advised Members that, on the landscape issue, they needed to consider whether the change in the position of the wind turbines changed the situation from the previous applications to such an extent that a refusal would now be merited. In achieving an improvement in the noise issue, there was a consequential issue of landscape impact.

In answer to clarification requested by a Member on the measure of noise, Mr Davis answered that the turbines would be slightly noisier than those in the previous application. But also, they would be located further away from residential properties.

Given Members' concern over background noise and the landscape differential, it was proposed and seconded that a

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site visit took place. The Solicitor to the Council advised that at the site visit, the area be pegged out to show the site of both the old application and the new one and in relation to how the electricity pylons were located, and that the differences in the two be considered. He asked Members to remember that what they heard on the day of their site visit at other existing turbines would be completely arbitrary, and that they would have to rely on the expert evidence of the acoustic consultant.

For the benefit of Members, Mr Muir explained the difference between shadow flicker and shadow casting.

The Planning Manager advised Members that whilst on their site visit they should also look at any effect on the settings of the listed buildings and conservation area.

RESOLVED, to defer the application to allow Members only to undertake a site visit.

- (b) Item 2 : Old Buckenham : Remove steel grain store, demo. of 4 bungalows, convert agric. barns to 8 residential units & erect 10 dwellings : Applicant : David Alston (Norfolk) Ltd : Reference : 3PL/2012/0193/F

The application had been deferred prior to the meeting.

- (c) Item 3 : Swaffham : Demolish buildings & erect new supermarket (1) landscaping, servicing, parking & highway improvements/new access : Applicant : Millngate Swaffham Ltd & Tesco Stores Ltd : Reference : 3PL/2012/0269/F

Members had received correspondence about the proposal.

Full planning permission for the demolition of existing buildings and the erection of a new food supermarket was proposed, with the total gross external area of the building 3,417 sq m. The proposal also included associated parking, servicing and landscaping and highways improvements to provide a new access. It was noted, that the original scheme had been slightly amended due to Norfolk County Council Highway Authority comments resulting in improved access arrangements.

The Principal Planning Officer advised that a draft S106 had been submitted by the applicant and if Members were minded to approve the application, it would need more detail.

Many letters of representation both in favour of the development and objecting to it had been received as advised within the report. A late submission had been received from Asda on 6 July 2012 whose comments were very similar to those raised by the Co-op. Two residents who could not

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attend the meeting had sent in summaries which acknowledged strong support for the application, the additional people and jobs it would bring to the town, although a degree of caution would be required with regard to the impact on the town centre.

It was concluded that the proposed supermarket would not be overly detrimental to the vitality and viability of the town centre. The applicant had demonstrated that there were no other suitable sites in, or closer to the town centre. The scheme would not be harmful to the residential amenity of the locality whilst the applicant would provide adequate financial support to enhance public transport and was therefore recommended for approval subject to conditions listed in the report.

Mr Bishop, Swaffham Town Council, advised that Tesco/Millingate had been proactive in their consultation. The Town Council were concerned with retaining the vitality of the town centre. They felt the store would be positioned close enough to draw people to the town as a whole. Subject to agreement of an appropriate S106 which dealt with public transport improvements, town centre vitality issues, and improved walking and cycling routes they supported the application. When asked if there was a need for a fourth major supermarket in the town he replied yes with regard to non food items and the lack of good clothing shops.

Ms Gosling, Applicant, stated that Swaffham would benefit from the proposal which was within 5 minutes walk of the town. Local suppliers would be supported and additional jobs would be created. 250 people had already registered interest in the 50 full time and 100 part time posts. She did not believe there would be any negative impact on jobs in the town. The Town centre would benefit from the S106 payment of which a £150k contribution would go to the local bus service. The proposed store would not be open 24 hours and the anticipated opening would be summer/autumn 2013.

Concerns raised by Councillors were with regard to the town centre suffering from large stores selling electrical and white goods along with clothing, and questioned if a restriction could be imposed on the sale of those commodities, and the fact that as Swaffham was a quintessential market town what impact the proposal would have on town centre traders, and what consideration had been given to future shop keepers wanting to set up in the town centre.

National contractors would be employed who would then use local sub-contractors on the site. Tesco used environmentally friendly materials to cut down their carbon footprint, and larch wood was used for external cladding. Their national policy was for a time limit of 3 hours on their car parks. No café was

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proposed.

The effect on retail in the town centre was a major factor for one Member who hoped that as part of the S106 a bus service would be provided for three years which would bring people into the area from other regions, and stop in the town to enable others to catch the bus. Tesco had listened to members of the public who wanted clothing available in the store. He believed the proposal would be beneficial for the town and hoped it would encourage other big companies to come into the town.

RESOLVED, that the application be deferred and the Officers be authorised to approve it as recommended, on completion of the legal agreement.

- (d) Item 4 : Carbrooke : Re-plan and substitution of revised house types to plots 19-29 : Applicant : Taylor Wimpey East Anglia : Reference : 3PL/2012/0406/F

The application sought planning permission to revise part of a consented housing estate and proposed the reconfiguration of the layout of the plots to increase the consented number of dwellings from 7 to 11 and in turn it would require alternative house types to be used. The 11 units would consist of 2 x 2 bedroom units and 9 x 3 bedroom units. The proposal had its own parking and two accesses.

The Principal Planning Officer advised that the scheme was considered to acceptably relate to its surroundings and satisfactorily safeguard neighbour amenity and was therefore, recommended for approval.

Ms Cooke, was present on behalf of residents who objected, and re-iterated their concerns which covered the increase from 7 dwellings to 11 and access issues along the private road which had no drainage in it. They had been without their main through road for 18 months and questioned how much longer it would be. It was felt that smaller size properties could be sold to Housing Associations.

A Councillor did not believe the proposal met the needs of the local community and could not support it.

The Principal Planning Officer suggested that dialogue was put in place with Taylor Wimpey with regard to their timeframe proposals and the closure of the road whilst the proposed dwellings were under construction, which most Members welcomed.

Approved, as recommended.

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- (e) Item 5 : Quidenham : Proposed extension to industrial development (Mixed Use) : Applicant : Richard Johnston Ltd : Reference : 3PL/2012/0476/O

The application outside the Settlement Boundary sought outline planning permission with all matters reserved, for an extension to an existing industrial estate in Snetterton. It proposed the creation of 5,650m² of both B1c light industrial and B2 general industrial and 16,600m² of B8 storage and distribution.

Despite its location outside the defined employment area, the proposal was considered to be acceptable as no significant adverse environmental or amenity effects were likely. The development would be compatible with adjacent business uses. There was a need to provide for continued economic growth pending the establishment of new employment area boundaries through the ASHAAP. There being no objection from Norfolk County Council as the local Highway Authority, or the Highways Agency, the scheme was considered to be acceptable in transport terms, and outline planning permission was recommended for approval.

Approved, as recommended.

- (f) Item 6 : Quidenham : Erection of 2 warehouse buildings (units 15 & 16) : Applicant : Richard Johnston Ltd : Reference : 3PL/2012/0477/F

The application sought full planning permission for the erection of two warehouse buildings (B8 use) on commercial land in Snetterton, outside the Settlement Boundary. The buildings would have pitched roofs and would be constructed using a steel frame construction with external cladding. The total floor footprint would be 6000 sqm.

As the proposal was consistent with Policy DC6 of the Core Strategy in providing additional business premises on a General Employment Area, and it would not cause any localised harm, the application was recommended for approval.

Approved, as recommended.

- (g) Item 7 : Swaffham : Provision of a pair of semi detached two storey dwellings : Applicant : Breckland Council : Reference : 3PL/2012/0557/O

Outline planning permission was sought which included access, appearance, landscaping and layout to construct a pair of semi-detached two storey dwellings on land owned by Breckland Council at Sandringham Way, Swaffham. Parking

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for two vehicles for each dwelling would be provided to the front of the site.

It was considered that the proposed dwellings were acceptable in terms of design, layout and siting and would be in keeping with the existing built form. They would have no significant impact with respect to existing residential amenity and no objections had been raised on highway safety grounds. Proposed materials would match existing dwellings in Sandringham Way. The application accorded with national and local planning policies and was recommended for outline planning permission subject to conditions.

Approved, as recommended subject to conditions as detailed in the report with the additional condition that obscure glazing be used in the gable windows.

- (h) Item 8 : Yaxham : Two storey extension to side and first floor extension including dormer window to rear : Applicant : Mr & Mrs R Wragg : Reference : 3PL/2012/0577/F

The application proposed an extension to form a new entrance hall and wc at ground floor level with a new bathroom above and a new enlarged dormer window to the rear elevation. As the design and appearance were considered to be acceptable and there would be no adverse impact upon residential amenity, the scheme was recommended for approval.

Approved, as recommended.

Notes to Schedule

Item No.	Speaker
1	Mr Hewett – Shipdham PC Mr Reading – Bradenham PC Mr Hinchliffe – Supporter Mr Hill – Objector Dr Hoare – Objector/Daffy Green Residents Mr Kite – CATS Objector Mr Muir – Applicant Mr Davis – Noise Consultant Mr Carter – Ward Representative
3	Mr Bishop – Town Council Ms Gosling - Applicant
4	Ms Cooke - Objector

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Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2011/0854/F	194
3PL/2012/0193/F	4
3PL/2012/0269/F	33
3PL/2012/0406/F	5
3PL/2012/0476/O	
3PL/2012/0477/F	
3PL/2012/0557/O	1
3PL/2012/0577/F	

71/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

72/12 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

Noted.

73/12 APPEAL DECISIONS (FOR INFORMATION)

Noted.

The meeting closed at 15.05 p.m.

CHAIRMAN

BRECKLAND COUNCIL

PLANNING COMMITTEE – 6 August 2012

SCHEDULE OF DEFERRED APPLICATIONS

REFERENCE AND DETAILS OF APPLICATIONS	MEETING FIRST REPORTED TO	DEVELOPMENT SERVICES MANAGER'S RECOMMENDATION	REASON FOR DEFERMENT
3PL/2008/0874/F: Thetford: Brunel Way: Construction of industrial units	11/08/2008	Approval	For resolution of various outstanding matters
3PL/2011/0967/F : Guist : Land at Bridge Road	03/10/2011	Refusal	To allow Officers more time for further planning discussions to take place on the planning issues
3PL/2011/0854/F : Bradenham : Erect 2 100m wind turbines, access tracks, crane pad areas, electricity sub-station & temp construction compound	00/07/2012	Approval	For Members to attend a site visit
→ 3PL/2012/0193/F : Old Buckenham : Remove steel grain store, demo of 4 bungalows, convert agric barns to 8 residential units & erect 10 dwellings	9/7/2012	Refusal	Pending submission of additional financial information relating to viability of parts of the scheme.

Agenda Item 8

BRECKLAND COUNCIL - PLANNING COMMITTEE - 09-07-2012

ITEM	1	RECOMMENDATION : APPROVAL										
REF NO:	3PL/2011/0854/F	CASE OFFICER: James Stone										
LOCATION:	BRADENHAM Land at Wood Farm Church Lane	<table border="1"> <tr> <td>APPN TYPE:</td> <td>Full</td> </tr> <tr> <td>POLICY:</td> <td>Out Settlemnt Bndry</td> </tr> <tr> <td>ALLOCATION:</td> <td>No Allocation</td> </tr> <tr> <td>CONS AREA:</td> <td>N TPO: N</td> </tr> <tr> <td>LB GRADE:</td> <td>N</td> </tr> </table>	APPN TYPE:	Full	POLICY:	Out Settlemnt Bndry	ALLOCATION:	No Allocation	CONS AREA:	N TPO: N	LB GRADE:	N
APPN TYPE:	Full											
POLICY:	Out Settlemnt Bndry											
ALLOCATION:	No Allocation											
CONS AREA:	N TPO: N											
LB GRADE:	N											
APPLICANT:	Ecotricity (Next Generation) Ltd Unicorn House Russell Street											
AGENT:	Ecotricity (Next Generation) Ltd Unicorn House Russell Street											
PROPOSAL:	Erect 2 100m wind turbines, access tracks, crane pad areas, electricity sub-station & temp construction compound											

KEY ISSUES

Provision of renewable energy
 Landscape character and visual impact
 Local and residential amenity (including noise and shadow flicker)
 Protected species
 Ministry of Defence (MOD) Radar
 Aviation safety

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of two wind turbines, each with a maximum tip height of 100m. The scheme also includes access tracks, crane pad areas, an electricity sub-station and temporary construction compound. The proposed turbines are Enercon 2.3MW, three bladed turbines. They are variable speed, direct drive turbines mounted on a steel tower with a clockwise blade rotation. The final specification of the turbine to be used is not yet confirmed due to continual improvements to wind turbine design. However, all assessments are based on the specifications of the Enercon E70 turbine.

SITE AND LOCATION

The two turbines would be situated within an agricultural field in the countryside. The southernmost turbine would be the nearest to a Settlement Boundary, being located 1200m north of the northern boundary of the Shipdham Settlement Boundary and its Conservation Area. Furthermore, the site is located on the boundary of Landscape Character Types 10 (Plateau Farmland) and 11 (Settled Tributary Farmland) as defined in the 2003 Wind Turbine Development Landscape Assessment, Evaluation and Guidance report. A line of pylons runs east to west to the north of Daffy Green.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 09-07-2012

EIA REQUIRED

Yes

RELEVANT SITE HISTORY

Planning permission was refused on 17 December 2002 under ref: 3PL/2002/0004/F for the erection of two turbines (reduced from three). The grounds of refusal at Committee related to impact on the landscape and the implications of the traffic which would be generated by the development. The application was dismissed at appeal in September 2003 on the grounds of potential noise problems. The Inspector concluded that whilst the development would have an effect on the living and working conditions of people nearby, those effects would generally fall within acceptable limits apart from the noise produced from the turbines. "The information I have seen on this matter is not to my mind sufficient to illustrate that the resultant noise climate would not give rise to disturbance to local, nearby residents". The Inspector completed her report by stating that "Overall I conclude that the proposal would be in accord with the objectives of the development plan, regional and national policy except in relation to the impact the development would be likely to have on peoples living conditions through noise disturbance. This matter is in my view sufficient to justify refusal of the proposal".

On 4 January 2005 planning permission was refused under ref: 3PL/2004/0313/F for the erection of two E-66 wind turbines with a hub height of 65m and a 70m rotor diameter (The 2002 turbines would have been approximately 20m taller than those in the 2004 submission). Committee refused the application on the grounds that there was currently a significant element of uncertainty about the likely impact of the proposed turbines on civil aircraft safety. However, the resulting appeal in June 2006 was allowed and the Inspector stated that "I have reached the same conclusion as did my colleague, save on the question of noise where I have had the benefit of much fuller information and the up to date guidance of PPS22 and its Companion Guide. In my view, the scheme meets the aims of the relevant development plan policies. Moreover, it is consistent with the Government's energy policies in that it would secure worthwhile savings in terms of carbon dioxide emissions". The appeal decision was, however, quashed at the High Court through Judicial Review with the appeal referred back to the Planning Inspectorate; the Inspector's ultimate conclusions after yet a further Public Inquiry being that, in the light of new evidence in respect of noise, the appeal be dismissed.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.12	Energy
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.15	Renewable Energy

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DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision

CONSULTATIONS

BRADENHAM P C -

Bradenham Parish Council objects.

Our specific objections relate to noise, impact on wildlife, unreasonably close proximity to neighbouring houses causing unacceptable visual dominance and shadow flicker, impact on the Norfolk Cycle Route, and the fact that the proposed development is contrary to Breckland's guidance for wind turbine development in this landscape area.

In view of these detailed objections we would strongly urge the Council to refuse this planning application.

SHIPDHAM P C -

The parish council have the following comments :

This application is not fundamentally different from the previous application which was rejected. It should therefore be rejected.

It does not satisfactorily address the concerns about health and wellbeing of those living in the vicinity, therefore should be rejected.

The developer appears to be unable to decide technical details eg noise levels until the turbines have been put into operation (rather too late). The application should therefore be rejected.

These applications have been received for many years, with no material difference, and each application has caused dissent within the village. The Parish Council believe that accepting this application would harm the community.

ENVIRONMENT AGENCY

No objections subject to conditions

ENGLISH HERITAGE

The proposal will result in change to the setting of a number of highly graded heritage assets. However, the degree of harm will not be substantial and it might be possible to conclude that this harm would be outweighed by the public benefit of mitigating the effects of climate change.

If minded to approve this application, we would wish to see a condition requiring the removal of the turbines at the end of their operational life, or when they become redundant, whichever is the sooner.

NATURAL ENGLAND

No objection subject to conditions

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MINISTRY OF DEFENCE

No objections subject to conditions relating to lighting, notification of start date, height of construction equipment, latitude and longitude of each turbine

CIVIL AVIATION AUTHORITY

No objections

NATIONAL AIR TRAFFIC SERVICES

No safeguarding objection to this proposal.

NORWICH AIRPORT (SAFEGUARDING)

No objections subject to conditions relating to requirement for a scheme to address airport safeguarding including mitigation, notice of commencement, details of cranes and their positions

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions to ensure satisfactory highway improvement works.

CPRE NORFOLK

Objects to the application.

The application site lies close to the existing concentration for on-shore wind farms that are operational at North Pickenham, Swaffham Ecotech Centre and Swaffham II; the cumulative impact is already apparent in this area. In addition we draw attention to the fact that the first four off-shore turbines at Sheringham Shoal are now operational, and all 88 will be operational next spring (and are already all too clearly visible from the north Norfolk shoreline at a range of 10-13 miles away). This company is now planning for a wind farm of up to 1,667 turbines of the north east coast. There are also proposals for 333 turbines some 28 miles north of Wells-next-the-Sea, and 140 are being built off the coast of Suffolk.

CPRE Norfolk concludes that the visual effects of the turbines proposed will be both significant and detrimental to the landscape of Shipdham and the surrounding countryside, near and far. The environmental benefits of the scheme, which are small and variable, and insignificant in comparison with the off-shore developments, are greatly outweighed by the damage it would cause.

R S P B

No objection

GREAT ELLINGHAM P C

Object on the basis that similar applications have been previously refused. Concerns about the closeness of the turbines to neighbouring properties and the amount of noise they will create.

CONTAMINATED LAND OFFICER

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No objections subject to conditions

ENVIRONMENTAL HEALTH OFFICERS

Based on the information submitted, the Council's retained Acoustic Consultant advises that there is no robust or sustainable reason to refuse planning permission on noise grounds. Conditions are proposed in relation to noise limits which are more stringent than those within the Environmental Statement. In respect of Amplitude Modulation, there is a small risk of noise annoyance but it is difficult to predict if it would occur and to what extent. No reasonable condition can be imposed.

Appeal Inspectors on recent planning appeals have suggested using statutory nuisance legislation to address AM if it occurs.

NORFOLK LANDSCAPE ARCHAEOLOGY

No objection subject to a condition to secure a programme of archaeological work.

TREE & COUNTRYSIDE CONSULTANT

The Environmental Statement prepared for Ecotricity does not raise any overriding issues in the field of Biodiversity that would argue against the proposal. This is borne out by the responses from Natural England and RSPB which expressed no objection.

The construction access is based on existing agricultural tracks and should not impact on ponds or watercourses in the locality. The issue of bats is more controversial; however, no potential roosts would be affected and there are no known roosts nearby whose flight paths would be at risk from the turbine blades. The survey results recorded low level use of the area and that not at the height of the blades - risks may therefore be classed minimal.

As far as landscape goes, the statement itself points out that any argument for or against large wind turbines can be countered by the opposite point of view. My opinion is not carried by any evidence presented on the planning file and it is noteworthy that the proposed location of the turbines is not significantly different from previous proposals examined in the planning process and subjected to Inspector's scrutiny at appeal when landscape issues were not found to be justification for refusal.

Any consent should be accompanied by conditions requiring the preparation, approval and execution of a detailed Biodiversity Enhancement Plan for the application site as proposed in section 8.8.3 of the Environmental Statement and a programme of monitoring of possible effects on wintering birds, breeding birds and bats as proposed in section 8.8.4 of the statement.

HISTORIC BUILDINGS CONSULTANT

I can confirm that I support the comment offered by English Heritage.

SHIPDHAM AERO CLUB

Objection - proximity to Shipdham Airfield and obvious danger to Air Traffic

DIRECTORATE OF AIRSPACE POLICY - No Comments Received

BEESTON P C - No Comments Received

CARBROOKE P C - No Comments Received

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MUNDFORD P C - No Comments Received

SCARNING P C - No Comments Received

NATIONAL AND WEST MIDLANDS CASEWORK TEAM - No Comments Received

REPRESENTATIONS

In response to consultation on the application, local comments from the community include the following:-

Objections

- Visual impact - obstruct view of other properties/is an eyesore (visual)
- Noise levels adverse effect on landscape quality
- Birds will be killed
- Sleep disruption, especially for those with medical conditions exacerbated by lack of sleep
- Government recommends 1 mile away from residential(Members bill going through with increase to 1.5 miles). Proposal is less.
- Penetrating low-frequency noise pollution day and night
- Costly method of carbon dioxide reduction
- Increase risk of RTA's as they are a distraction
- Previous applications have been rejected and not much/nothing has changed
- Impact on the amenity of neighbouring property
- Impact on the wildlife (including bats) in neighbouring Manor Farm and elsewhere
- Shadow flicker impacts on people and livestock
- Noise impact inside dwellings
- Persecution as already won numerous public enquiries/high court challenges
- Noise restrictions in conditions of 3PL/2006/0470/D should also apply to turbine application
- Not cost-effective and has a low electricity production
- Annoyance during construction
- Radar interference
- Altered behaviour in farm animals
- Impact on the Conservation Area
- Inadequate background data and EIA
- Safety of aircraft operating from Shipdham Airfield e.g. wind turbines obstruct natural landing corridor for commercial flights in distress
- MOD have objected as have local airfield
- No economic benefit to Shipdham
- Health risks to vulnerable/elderly people, e.g. Shipdham Manor care home, with risk to mental health
- Impact on tranquility

Support

- Suitable as noise mitigation methods in place
- Clean energy

ASSESSMENT NOTES

* The application is referred to Planning Committee as it is a major application.

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Renewable Energy

* The NNPF is supportive of renewable energy as illustrated by para.97 which states that local planning authorities should 'have a positive strategy to promote energy from renewable and low carbon sources'. Furthermore, para.98 of the NNPF explains that local planning authorities should 'not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy'. This paragraph also states that applications for renewable energy should be approved 'if its impacts are (or can be made) acceptable.'

* At a local level Policy DC 15 Renewable Energy of the adopted Breckland Core Strategy states that "Proposals for renewable energy development, will be supported in principle" and Policy CP12 supports the provision of renewable and low carbon technologies.

* Reference has been made in representations to a document from 2005 entitled Wind Energy Development - A Statement of Breckland Council Policy. However, this is not part of the Development Plan and therefore carries limited weight in the determination of this application.

Landscape Character and Visual Impact

* The site is located on the boundary of Landscape Character Types 10 (Plateau Farmland) and 11 (Settled Tributary Farmland) as defined in the 2003 Wind Turbine Development Landscape Assessment, Evaluation and Guidance Report prepared for Breckland Council and Kings Lynn and West Norfolk Borough Council.

* Plateau Farmland:- A small group of turbines (being defined as 2 to 12 in the report) is recorded as having a 'Low' impact on all key characteristics of this type of landscape apart from 'Landmarks and Visible Built Structures' and 'Remoteness and Tranquillity' where such a development is considered to have a 'Moderate' impact. With regard to Landmarks and Built Structures, the report states that a small group could potentially provide a point of focus however more than one turbine could appear dominant and out of balance with the general absence of other 'grouped' vertical structures. With reference to Remoteness and Tranquillity, the report states that a small group may be appropriate if linked to the busy areas of the landscape such as the main transport corridors. However, it would be less suited to the more peaceful parts of the landscape type.

* Settled Tributary Farmland:- A small group of turbines is defined as having a 'Low' impact on all key characteristics of this landscape type apart from 'Landform and Topography', 'Land Cover Pattern', 'Skyline' and 'Landmarks and Visible Built Structures' where it is deemed to have a 'Moderate' impact.

* With reference to 'Landform and Topography' the assessment explains that the undulating landform is likely to result in turbines occurring at varied heights which could lead to visual confusion - although this would not be as apparent as with larger groups.

* The section on 'Land Cover Pattern' explains that the hedgerow network and the presence of shelterbelts provide lines or edges in the landscape to which a small group could relate. However the patterning is not as consistent or distinct as other areas. As such, visual connections to these lines are less likely to be apparent.

* With regard to 'Skyline' the report claims that it is tiered with varying heights of tree canopies suggesting that various heights of turbines (over undulating ground) could relate to this pattern. However there is scope for it to make the skyline more confusing.

* Finally, the section on 'Landmarks and Visible Built Structures' claims there are few focal or landmark features within the landscape and those present are individual features such as the village churches. As such there are no obvious 'grouped' features to which a small scale development could relate.

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* The two turbines proposed would be located to the south and south west of those sought in 2002 and 2004. In terms of the distance between the turbines and the nearest joint Settlement Boundary and Conservation Area boundary, the proposed turbines are set at 1200m and 1440m respectively with the previously refused turbines being distanced at 1620m and 1520m respectively.

* With regard to their relationship to the man-made structures to the north, notably the pylons and their east-west run of cables, it is accepted that in this instance there will be some greater separation when compared to the previous applications. The current northerly and southerly turbines would be situated approximately 150m and 350m, respectively, further from the pylons (and associated cables) than the previous turbines would have been.

* Notwithstanding this modest increased distance, the visual relationship would not be significantly different. In addition, no previous Inspector concluded that landscape impact was a reason to dismiss the appeals. Furthermore, as highlighted above, this is supported by information contained in the Landscape Assessment, Evaluation and Guidance Report as there are not deemed to be any key characteristics that are highly sensitive to the proposed turbines. They do not impact on valued features or designated landscape, to include AONB's or National Parks. They do not impact significantly on any high grade heritage assets within the locality, as evidenced by English Heritage's lack of objection relating to the setting of Listed Buildings and the Conservation Area, subject to the ultimate removal of the turbines.

* Whilst the turbines would result in significant change to the landscape it is not considered that the change would be so harmful as to warrant refusal on the grounds of impact on landscape character or visual amenity.

Local and Residential Amenity

A. Noise

* The Council's retained Acoustic Consultant concludes that, fundamentally, the noise assessment in the Environmental Statement has been carried out in a generally competent manner and the noise levels from the proposed wind turbine development will comply with published standards and guidance.

* Despite these overall conclusions, it should be noted that there will most certainly be some type of noise impact on the residents and the surrounding environment. However, it is very difficult to precisely quantify this level of impact due to the level of uncertainty based upon varying environmental conditions and the subjective element that applies to any potential noise issues. It is precisely this evaluation of uncertainty around the potential noise impact of the development that has been at the heart of previous planning appeal rulings.

* Conditions are proposed which incorporate noise limits that are more stringent than those proposed in the Environmental Statement, in line with relevant guidance contained in ETSU-R-97. The issue of Amplitude Modulation (AM) has been researched and the consultant has confirmed that there is a small risk of noise annoyance from AM occurring. However this is very difficult to predict if it would occur at Shipdham and to what extent. In this respect, there is no reasonable condition that can be imposed. The Consultant has reviewed a number of recent planning appeal decisions which address the problem and acknowledge the risk of AM occurring. However, planning inspectors have not refused permission based upon it. The planning inspectors involved have suggested using statutory nuisance legislation to address AM if it occurs.

* The Council's Environmental Health Officer has therefore concluded, having taken extensive advice from a leading independent acoustic expert on the matter, and taking account of the noise conditions that can lawfully be imposed on any planning permission, that there are no noise grounds to justify a recommendation to refuse this application. Noise disturbance, despite some uncertainties, is therefore, not considered to be an acceptable reason for refusal.

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B. Shadow Flicker

* The submitted shadow flicker assessment concluded that one residential property could be affected by shadow flicker. However, the applicants have stated that if incidences of shadow flicker occur, the mitigation scheme proposed will be implemented and that such mitigation has been demonstrated to be effective at a number of UK wind turbine sites. The Environmental Health Officer has recommended a condition to address this issue.

Protected Species/Biodiversity

* It is considered that the proposal would not be harmful to any European Protected Species on or in close proximity to the site and would enhance biodiversity in the locality. There are no internationally statutory designated sites within the application site or within 5km of the developable area. There are three SSSIs within 5km of the site and seven County Wildlife Sites within 4km of the site. An extended Phase 1 habitat survey was carried out in 2005 and updated in 2010 and found that the hedgerows within the site are mainly species poor whilst there were no Great Crested Newts in the thirteen ponds on site. Furthermore, it was concluded that the proposal would not be harmful to the badger setts along the western boundary of the site.

* Natural England has stated that the application will not have an impact on any statutory or non-statutory designated sites in the vicinity and from the information provided, it is unlikely that the application will adversely affect any protected species. Natural England also explained that the methodology used to survey the site for bats and birds was satisfactory but that it would also have been useful to carry out automated surveys at turbine locations. It should also be noted that the RSPB has not objected to the scheme.

* The proposal will include the establishment and management of species-rich grassland and field margins to improve biodiversity in the locality.

* The Tree and Countryside Consultant raises no objection subject to conditions.

Cultural Heritage

The proposal will result in change to the setting of a number of highly graded heritage assets in the vicinity of the site and, in some instances, that change will result in a degree of harm. However, English Heritage has explained that the degree of harm will not be substantial and that it might be possible to conclude that this harm would be outweighed by the public benefit of mitigating the effects of climate change.

* Norfolk Landscape Archaeology reiterate the stance taken by English Heritage and feel that although the proposal will impact on below ground deposits these can be dealt with by a condition.

Aviation

* Norwich International Airport has explained that whilst the proposed development has certain elements that continue to concern them they do not feel that the proposal warrants a recommendation for refusal provided the grant of planning permission includes the requirement to comply with the airport's recommended conditions. Furthermore, NERL Safeguarding (NATS) have concluded that although the proposed development is likely to impact on their electronic infrastructure they have no objection to the proposal.

* Following a re-assessment of the application, the MOD has withdrawn its objection to the proposal. In the interests of air safety, the MOD requests that the turbines are fitted with aviation lighting.

* Shipdham Aero Club has objected to the proposal on the grounds of danger to air traffic. However, air safety is not considered to be an obstacle to this proposal because both the National Air Traffic Service and the Civil Aviation Authority have not objected to the scheme. It should be noted that the first appeal (ref: APP/F2605/A/03/1109816) regarding proposed turbines

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on the field in question made reference to Shipdham airfield. The inspector explained that the airfield lies to the east of the village whereas the field in question lies to the west. Aircraft from the airfield do not overfly the village and the extended base leg is in a generally westerly direction some way to the north of the turbine site. Whilst the glider approach is to the west of the airfield it is generally to the east of the village and again some distance from the appeal site. The Inspector accepted that it is conceivable that there could be potential conflict with pilots in distress but felt that the possibility of this occurring was extremely remote. The Inspector did not consider that an objection on these grounds was sufficient to justify a refusal. Furthermore, the Inspector stated that in reaching this conclusion they have taken into account that from time to time the airfield may be used for distress and diversion purposes.

Flood risk

* The site lies within Flood Zone 1 which means that there is a 1 in 1000 chance of flooding on an annual basis. The site overlies a principal aquifer (Chalk), which is highly permeable with soils of high leaching potential. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale.

* Having reviewed the information as submitted, the Environment Agency has no objection to the proposed development.

Access

* The applicants have stated that the proposed use of the site is not a traffic generating use but that there will be increased levels of traffic around the construction phase. Whilst NCC Highways have no objection to the proposal they disagree with the applicants' claim that no temporary highway improvements are required and have, therefore, asked for conditions to ensure adequate highway improvements.

Conclusion

* The proposal seeks permission for the generation of renewable energy and so is supported in principle by policies in the Development Plan. It is considered that there would be no unacceptable impacts on the local area with regard to cultural heritage, landscape, visual amenity, aviation safety/radar and protected species. Furthermore, it is felt that the issues of noise and shadow flicker relating to local and residential amenity have been adequately addressed by the applicant, subject to appropriate conditions being imposed.

* The application is recommended for approval subject to conditions

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Limited to 25 years
- 3920** Environment Agency conditions
- 3920** Natural England conditions
- 3920** Biodiversity/wildlife

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- 3920**
- 3920** MOD conditions
- 3920** Norwich Airport conditions
- 3920** Contaminated Land conditions
- 3920** NLA condition
- 3920** Highway conditions
- 3920** Ceasing of operations
- 3920** External lighting
- 3920** Noise - compliance measurements
- 3920** Noise -disturbance
- 3920** Noise - assessment of rating level of noise
- 3920** Noise - measurement locations
- 3920** Wire/cabling/services
- 3920** Soil removal
- 3920** Ancillary buildings materials
- 3920** Shadow flicker
- 3920** Electromagnetic interference
- 3920** Hours of operation
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

Item No.	Applicant	Parish	Reference No.
1	Paul Rackham Ltd	ROUDHAM/LARLING	3PL/2012/0450/CU
2	Abel Homes Ltd	WATTON	3PL/2012/0521/F
3	Norfolk County Council	SWAFFHAM	3PL/2012/0527/F
4	Norfolk County Council	SWAFFHAM	3PL/2012/0528/CA
5	Breckland District Council	THOMPSON	3PL/2012/0547/F
6	Mr & Mrs R W Key	WHINBURGH/WESTFIELD	3PL/2012/0579/F
7	Mr & Mrs D Smith	DEREHAM	3PL/2012/0623/F
8	Mr Ray Newton	YAXHAM	3PL/2012/0627/F

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

ITEM	1	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0450/CU	CASE OFFICER: Chris Raine
LOCATION:	ROUDHAM/LARLING AND BRIDGHAM Buildings 6 and 11 Camp Farm Roudham Road	APPN TYPE: Change of Use POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Paul Rackham Ltd Manor Farm Bridgham	
AGENT:	Mr Adam Beamish Cunnane Town Planning LLP 67 Strathmore Road	
PROPOSAL:	Change of use of buildings 6 & 11 from agricultural use to B8 storage (retrospective)	

KEY ISSUES

Principle of development
Highway safety

DESCRIPTION OF DEVELOPMENT

The application seeks retrospective planning permission for the change of use of two units (units 6 and 11) from agriculture to B8 storage.

SITE AND LOCATION

The buildings which are the subject of this application form part of a larger group of buildings (totalling 15) collectively known as Camp Farm. The site occupies a rural location which is accessed via Roudham Road to the north.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2006/0048 - Change of use of buildings to B8 (storage only) - Withdrawn 10/3/2006
3PL/2006/1484 - Change of use of buildings 1, 3, 5, 6, 8 and 9 from agricultural to commercial storage - Refused - Dismissed on appeal 10/1/2007
3PL/2006/1485 - Change of use of building 10 from agricultural use to hemp processing plant - Refused Allowed on appeal 10/1/2007

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3PL/2007/0139 - Change of use of building 10 from agricultural use to hemp processing plant - Approved 31/5/2007

3PL/2007/0992 - Office extension - Approved - 16/8/2007

3TL/2010/0010 - Extension of time limit for hemp plant - approved 12/5/2010

3PL/2011/0851 - change of use of buildings 1, 3, 8 and 15 for commercial storage purposes - Approved 16/3/2012

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.03	Employment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.07	Employment Development Outside of General Employment Area
DC.20	Conversion of buildings in the countryside
DC.21	Farm Diversification

CONSULTATIONS

ROUDHAM & LARLING P C -

Objection - Confusion as to what application is for. Applicants form states the application is for 'Change of use for...'

'Notification of planning application to Parish Council' describes application as being for 'Continued use of...'

A letter with the application papers from FTL dated 10th April 2012 says 'at present FTL occupies Buildings 1, 6, 8, 11 and 12 for commercial storage' and strongly implies that it has done for many years that it has 'become absolutely vital for FTL'.

An email from the Breckland Enforcement Officer dated 26th October said that no breach of planning was taking place in respect of the 2 buildings involved in this application, and listed their contents as 'Building 6 - completely empty' and Building 10 & 11 (Shed 1 and 2) Seed corn and fertiliser'

Initially, when my council met last night to consider its response, these statements and facts seem to be diametrically opposed, prompting several questions. Is the applicant ignorant of an ongoing breach of planning? Is the statement by FT wrong? Was your Enforcement Officer confused when Camp Farm was inspected?

However, I now see that your website has changed, and that the proposal is now 'Change of use of building 6 and 11 from agricultural use to B8 storage (retrospective)'

It seems surprising that no correspondence from the applicant or his agent agreeing that the original application form contained an error appears on your website. This also prompts the question, how did your enforcement officer manage to miss the ongoing breach at the time of inspection, and why did the applicant or his agent not mention this when Application ref.

DC131_new

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3PL/2011/0851/CU was being discussed at Planning Committee.

The other objections have been stated before, and remain valid (only more so). When the new buildings were erected at Camp Farm this council and many others questioned the need for them and their suitability for use as the agricultural buildings they were claimed to be. The Planning Inspectorate agreed. They were never used for the stated purpose.

Permission has already been given for several buildings on the site to be used for other commercial uses. Now it turns out that these buildings too have, in spite of the assurances from BC, been used in breach of planning regulations, and the applicant is asking (again) for retrospective permission to continue to do so.

The farm still consists of a substantial acreage, and will, if matters are permitted to progress, end up with no buildings available for agricultural use. Inevitably, this will lead to a request for new buildings in the open countryside to service the farm, and then the merry go round will start again.

This council has stated before its belief that the aim was to abuse the planning system to make Camp Farm an extension to the industrial estate further along Roudham Road. It is disappointed that so far BC has permitted this to happen, and hopes that it will now call a halt

BRIDGHAM P C -

Our objection remains the same as the previous applications: that this should not become an industrial estate by stealth

CONTAMINATED LAND OFFICER

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to a S106 Routing Agreement being completed before any permission notice is released and subject to condition in respect of provision of visibility splay

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to the following conditions:

No deliveries shall be made or dispatched from the site, materials loaded or unloaded, refrigerated units run nor engines idled outside the following times:

0700 to 1900 hours Monday to Friday and

0700 to 1300 hours on Saturday.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

Objection received on the grounds that the site is not an allocated industrial/employment area; does not have a mains sewer connection; detrimental to the character of the Brecks which is used by tourists and there are already large industrial premises near the A11 to meet future needs.

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ASSESSMENT NOTES

* The application is referred to the Planning Committee at the request of the Ward Member.

Principle of Development

* Policy DC7 of the Breckland Core Strategy requires that proposals for employment uses outside of identified employment areas and allocated sites will only be permitted where there are particular reasons for not being located on such sites including where it is an expansion of an existing business, businesses based on agriculture, where a proposal would be detrimental to local amenities if located on an employment area.

* It has been previously accepted that a site becoming redundant with no prospect of being re-used for the agreed purposes can be a valid reason for considering employment uses on non-allocated sites. In this instance, the application includes an Agricultural Appraisal which concludes that there is no reasonable prospect of the site being required for agricultural purposes in the future. This conclusion has been previously accepted by the Council and there is no reason to conclude differently in this case.

* On this basis it can be concluded that the proposal does not conflict with Policy DC7.

* Policy DC20 of the Breckland Core Strategy supports the sustainable re-use of appropriately located and constructed buildings in the countryside for economic development purposes subject to all relevant criteria being met.

* Policy DC21 of the Breckland Core Strategy supports farm diversification proposals subject to compliance with relevant criteria. These criteria look at proposals being compatible in terms of scale, location and appearance with their rural location and setting.

* With regard to planning policy, since the previous decision was made for the change of use for other buildings on this site, the NPPF has been introduced and this sets out the need to support proposals which benefit the rural economy and it stresses a presumption in favour of sustainable development proposals.

* The NPPF confirms that sustainability has three dimensions which should not be looked at in isolation, these being, economic, social and environmental.

* In this instance, whilst the site is not ideally located in relation to existing centres and infrastructure, the proposal fulfils an economic role in finding an alternative economic use for redundant buildings. Furthermore, given it is a conversion which proposes no building works, and due to the restrictions in use proposed, it is considered that the proposal would not cause any significant environmental harm. In this case, the nature of the development means that the social role is not readily applicable.

* On balance, the proposal can be seen to comply with the definition of sustainability as set out in the NPPF.

* As part of the current application, the applicant has agreed to conditions which control the hours of operation associated with the buildings and the buildings only being used for storage and not distribution. This would have the effect of limiting vehicle movements and operations at the site, which is consistent with the previous approval at the site.

* These measures, when seen against the requirements of planning policy to support the rural economy and approve sustainable development proposals, unless it would lead to demonstrable harm, means that, on balance, the proposal is acceptable in principle.

Highway safety

* The Highway Authority has assessed the proposal and confirmed that they have no objection to the proposal subject to the applicant entering into a S106 routing agreement and to a planning condition relating to securing appropriate visibility from the access.

Other issues

* Given that the proposal is for a change of use, with no external alterations or buildings proposed

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it is not considered that any visual harm would occur. The buildings are a significant distance from any residential properties and as such activities within the buildings would cause no harm to local residents.

Conclusion

* In conclusion, it is accepted that the application adequately demonstrates that the buildings are redundant and it is therefore appropriate, in principle, to consider alternative uses. In doing so, whilst the site does display some locational limitations the economic benefits of re-using the existing buildings coupled with the limited environmental harm means that the proposal is considered to be acceptable in planning terms, and the application is therefore recommended for approval in accordance with Policies DC7, DC20 and DC21 of the Core Strategy.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Use solely for storage
- 3920** Hours of operation
- 3920** Personal to applicant
- 3920** Visibility splay
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

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ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0521/F	CASE OFFICER: Jayne Owen
LOCATION:	WATTON Norwich Road	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: Sites with PP 4 HSG CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Abel Homes Ltd Neaton Business Park (North) Norwich Ro	
AGENT:	Lucas Hickman Smith 21 Town Green Wymondham	
PROPOSAL:	Erect 33 new dwellings with associated roads, landscaping & infrastructure (second phase of Abel Homes 'Hus46')	

KEY ISSUES

Principle of development
Design and appearance
Amenity
Drainage and flooding
Highways
Contaminated land

DESCRIPTION OF DEVELOPMENT

The proposal seeks full planning permission to construct 33 new dwellings with associated roads, landscaping and infrastructure on land off Norwich Road, Watton. The proposal includes five affordable units and constitutes the second phase of development on this site. The first phase (46 homes) was granted planning permission in 2008 and subsequently amended in 2010 and is currently under construction. The development includes a range of 2, 3 and 4 bedroom houses all of which would be 2 storeys in height. Materials comprise red facing brick with off white painted render with smaller areas of natural timber boarding with dark grey and red clay interlocking plain tiles. Boundary treatments include willow hurdle panels fixed to timber post and rail structure, close-boarded to garden side, fences between gardens to be stained timber closed boarded fencing. Access to the application site will be from Norwich Road via the new access roads currently under construction as part of Phase 1 of the development.

The application is supported by a Design and Access Statement, Flood Risk Assessment, Contamination Report Intrusive Investigation and an Engineering Assessment.

A Section 106 Agreement will be required to support the application which provides for the provision of public open space, affordable housing and contributions towards schools and library

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services.

SITE AND LOCATION

The application site is located within a predominantly residential area, approximately 1.2 km to the east of Watton town centre to the north of Norwich Road and forming the northern part of the former stables and paddock situated between Norwich Road and Watton Green to the west of Akrotiri Square. The site extends to 2.15 hectares and is adjoined to the north, west and east by existing residential development. The site is separated from Watton Green to the north by a drainage ditch and some mature trees. The site is enclosed to the west by an overgrown leylandii hedge and a number of mature trees, beyond which lies a large garden associated with a single detached dwelling.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2011/1232/F - Erection of dwelling and garage (Plot No.11) - Approved 19th January 2012

3PL/2010/0892/F - Residential development. Revised layout and design details. Minor Material Amendment to 3PL/2008/1042/F - Approved 20th May 2011

3PL/2008/1042/F - Demolition of existing premises and erection of residential development together with ancillary works - Approved 3rd October 2008

3PL/2008/1019/F - New crèche/nursery facility and ancillary works - Approved 24th September 2008

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.05	Developer Obligations
CP.09	Pollution and Waste
CP.10	Natural Environment
DC.01	Protection of Amenity
DC.02	Principles of New Housing

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DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.15	Renewable Energy
DC.16	Design
DC.19	Parking Provision

CONSULTATIONS

WATTON TOWN CLERK - No Comments Received

ENVIRONMENT AGENCY

No objections subject to conditions

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

It is not clear whether the applicant has considered the issue of Crime Prevention under Core Strategy Policy DC16. Early consultation is encouraged with the Crime Prevention/Architectural Liaison Officer to assist in designing out crime opportunities. The applicant is asked to consider the following recommendations relating to the physical security and the possibility of making an application for secured by design accreditation for the whole site.

Landscaping

All specified trees and shrubs should have a maximum growth height of 1 m, whilst all trees should be up pruned to minimum height of 2 m - which maintains a clear field of vision around the site. An environment that provides a see and be seen feel will reduce crime and anti social behaviour.

Doors and windows

The homes should be designed to incorporate quality window and door sets.

ANGLIAN WATER SERVICE

It is noted that the accommodation proposed for plots 59 and 60 may lie within 15 m of the compound of Watton-Akrotiri Square Sewage pumping station. Anglian Water would consider this encroachment to pose a risk of noise and odour nuisance to future occupants of these dwellings. A condition is therefore recommended that where practicable the proposed layout should maintain a minimum distance of 15 m from the sewage pumping station compound fence.

TREE & COUNTRYSIDE CONSULTANT

The amenity space of Plot 69 is destined to be in the shade of the protected oak tree from 1130 am for the remainder of the effective day. Tree protection conditions are recommended. The ecological mitigation recommended in sections 5 and 10 of Norfolk Wildlife Services report dated May 2012 should be conditioned to any consent.

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CONTAMINATED LAND OFFICER

Our records indicate that a backfilled pond is located on site. The Contamination Report, No 8818, dated September 2010 produced by Plandescil Limited which has been submitted in support of the application does not cover the area proposed for development but an area to the south. Therefore I recommend conditions and informative

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions

MINISTRY OF DEFENCE

No safeguarding objections.

HOUSING ENABLING OFFICER

There is an identified need for affordable housing in Watton and therefore this scheme will be subject to Core Strategy Policy DC4 Affordable Housing.

The applicant has been in discussions with the housing team from the early stages of the scheme. As a result 5 No. bungalows will be built to wheelchair accessible standards. If the bungalows are not built to wheelchair adapted standards then we will be seeking an increase in the number of dwellings provided as affordable. We will expect the affordable dwellings to be built to the agreed standards and to be delivered free from public subsidy.

ECONOMIC AND STRATEGY OFFICER - No Comments Received

ASSET MANAGEMENT - No Comments Received

STREETSCENE - No Comments Received

REPRESENTATIONS

One representation has been received raising the following issue:
Understood properties bordering Watton Green should be bungalows. Why has it been changed and for whose benefit?

ASSESSMENT NOTES

* The application is referred to the Planning Committee as it is a major application.

Principle of development

* The site is allocated for development as housing in the adopted Breckland Local Development Framework and falls to be considered against Policy W3 which provides for a residential development of approximately 25 dwellings together with a minimum of 500 square metres of childrens play space provided on site. Development is subject to compliance with adopted Core

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Strategy policies and criteria including that the principal access is provided onto Norwich Road with no vehicular access provided onto Watton Green; that only low density housing with gardens backing onto Watton Green is permitted along Watton Green; that perimeter hedgerows and trees, especially along the northern boundary of the site are retained and enhanced; new provision of internal open space, hedgerows and tree planting within the site; agreement of a scheme to secure the appropriate management of the lightly wooded area to the west of the site and of the ditch to the east of the site, in the interests of biodiversity; provision of pedestrian and cycle links through the site to Norwich Road and onto Watton town centre and local schools; relocation of the attenuation pond to contain the critical 1 in 100 year plus climate change storm event and the provision of on-site children's play area in close proximity to the existing planning permission to the south of the site.

* Policy DC4 requires 40% of the total number of housing units to be provided and maintained as affordable housing. Whilst the affordable housing provision is lower than the 40% required by DC4, the applicant has been in discussions with the Council's Strategic Housing team and agreement has been reached that the lower provision in number is acceptable subject to the bungalows being built to wheelchair accessible standards.

* A total of 0.61 ha of open space is provided incorporating a sustainable urban drainage system for the whole development. This provision includes 0.41 ha of green space already agreed for phase 1, plus 0.20 ha as the provision for Phase 2 which is in accordance with Core Strategy Policy DC11.

Design and appearance

* The design and layout of the development is considered to be acceptable. The layout provides for a lower density along the northern frontage to Watton Green which accords with the requirements of Policy W3. The houses are arranged to create varied street scenes and are laid out around a large green open space bisected by one of the access roads. The houses are of a traditional form using largely traditional materials with ridge and eaves running parallel to the street. However, the dwellings have a contemporary feel following the precedent set by Phase 1.

Amenity

* The proposed dwellings have been designed to minimise their impact on the amenities of neighbouring residents.

Landscaping

* Policy W3 specifies the agreement of a scheme to secure the appropriate management of a lightly wooded area to the west of the site and of the ditch to the east of the site, in the interests of biodiversity. However, the western site boundary is dominated by a very tall evergreen hedge and a small number of mature trees, one of which (within Phase 1) is protected by virtue of a Tree Preservation Order. The ditch down the eastern margin of the site is being culverted as part of the flood risk mitigation scheme in connection with Phase 1.

Drainage and flooding

The application site falls within Flood Zone 1 (low risk). A Flood Risk Statement for the Phase 2 site was prepared by Plandescil Ltd as part of the LDF land allocation process in 2010 and is resubmitted with the application. A storm-water drainage strategy for the whole site has been designed and submitted to Anglian Water for approval. Anglian Water have pointed out that the development site is within 15 m of a sewage pumping station and it is recommended that there should be no development within 15 m from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give

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rise to complaint from the occupiers regarding the location of the pumping station. As a result the plans have been satisfactorily amended to meet this requirement. However, it is also considered appropriate to attach a condition to this effect. The Environment Agency has also been consulted on the proposals and has raised no objections to the proposals subject to conditions.

Highways

* The Highways Authority has raised no objection to the proposals subject to conditions.

Contamination

* The Council's Contaminated Land Officer has been consulted on the proposals. He has commented that their records indicate that a backfilled pond is located on site. No objections have been raised to the proposals subject to conditions.

Conclusion

* In conclusion, the site is allocated for residential development and it is considered that the proposal satisfactorily accords with the principles set out in Policy W3 of the Adopted Site Specific Policies and Proposals Development Plan Document 2012. The form of development provides for a satisfactory layout arranged to create varied street scenes laid out around a large green open space. Dwellings are well designed following the principles established by Phase 1 of the development, currently under construction to the south. The proposal will not have a significant adverse impact on existing residential amenity. Attenuation measures with respect to drainage/flooding have been found satisfactory by both the Environment Agency and Anglian Water subject to conditions. Similarly the Council's Contaminated Land Officer raises no concerns subject to conditions. There are no highway safety concerns raised to the proposals subject to the receipt of satisfactorily amended plans and conditions.

* Approval is recommended subject to conditions and a Section 106 Agreement relating to provision of open space, affordable housing and contributions to schools and library services.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- MT03** External wall and roof materials to be agreed
- 3944** Contaminated Land - Desk Study/Site Investigation
- 3920** Verification Report
- 3920** Contamination not previously found
- 3920** Surface Water Drainage
- 3920** Surface Water Drainage
- 3414** Fencing protection for existing trees
- 3415** Trees and hedges
- 3920** Ecological Mitigation Measures
- 3920** Fire Hydrant Provision
- 3920** Provision of renewable energy

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- 3920** Details of roads, footways etc
- 3920** Works in accordance with specification
- 3920** Binder course surfacing level
- 3920** Off site highway works
- 3920** Levels
- 3923** Contaminated Land - Informative (Extensions)
- 3992** Non-standard note re: S106
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

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ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0527/F	CASE OFFICER: James Stone
LOCATION:	SWAFFHAM Former Sixth Form College site (northern part of) Market Place	APPN TYPE: Full POLICY: In Settlement Bndry ALLOCATION: Town Centre CONS AREA: Y TPO: N LB GRADE: Grade II
APPLICANT:	Norfolk County Council County Hall Martineau Lane	
AGENT:	NPS Property Consultants Ltd Lancaster House 16 Central Avenue	
PROPOSAL:	Demolish buildings & Erect 16 flats, works to boundary walls to widen/ improve access & associated works	

KEY ISSUES

Principle of development
Design - including impact on Conservation Area and adjacent Listed Building/wall
Residential amenity
Highway safety and parking
Open space and affordable housing contributions

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission to provide 16 flats (6 one bed flats and 10 two bed flats) in two storey buildings. Access to the site will be created off Lynn Street/Market Place whilst a pedestrian link will be provided from Whitsands Road.

SITE AND LOCATION

The application site covers the northern part of the former Swaffham Sixth Form Centre. The whole of the site is within the Swaffham Conservation Area and Settlement Boundary. Furthermore, the whole of the site is within the defined Town Centre of Swaffham whilst the majority of the access way and parking area is within the defined Primary Shopping Area. To the north east of the site is a Listed dwelling and wall. Adjacent to the northern boundary of the site is the post office and car park whilst the remainder of the former sixth form centre site is adjacent to the south. Residential dwellings can be found to the south west of Whitsands Road and to the north east of Lynn Street/Market Place.

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EIA REQUIRED

No

RELEVANT SITE HISTORY

Conservation Area Consent has been granted for the demolition of buildings on site and for the demolition of part of the boundary walls. Listed Building Consent has also been granted for the demolition of a small section of the wall adjacent to Lynn Street/Market Place. To the south of the site planning permission has been approved at Planning Committee for 14 dwellings, although the permission is still to be issued due to outstanding Section 106 requirements.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.05	Developer Obligations
CP.07	Town Centres
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.09	Proposals for Town Centre Uses
DC.11	Open Space
DC.12	Trees and Landscape
DC.14	Energy Efficiency
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision

CONSULTATIONS

SWAFFHAM TOWN COUNCIL -

Objection due to highway issues regarding access, as the traffic is very busy already this would not be a good or safe location for access. The access is currently dangerous and additional traffic generated by the residential development would make it much worse. Also to request the applicant amends their application to include a cycle way alongside the pedestrian access through the site.

ENVIRONMENT AGENCY

No objection to the proposed development but informative comments provided on pollution prevention and foul water.

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NATURAL ENGLAND

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. However, we would expect the LPA to assess and consider the possible impacts resulting from this proposal on the following when determining this application:

- Protected Species
- Protected Areas
- Biodiversity Enhancements.

NORFOLK COUNTY COUNCIL HIGHWAYS

Having had informal discussion regarding the redevelopment of this site I am pleased to see that my recommendations have been incorporated into the proposals. Suitable highway conditions have been provided.

HISTORIC BUILDINGS CONSULTANT

No objection. As per informal pre application discussion.

TREE & COUNTRYSIDE CONSULTANT

Trees

The Arboricultural Impact Assessment by AT Coombes makes sound recommendations - in particular the necessity for arboricultural supervision during demolition followed by tree protection fencing where appropriate. The recommendations of the report should be conditioned in full to any consent.

Notwithstanding the above, it is unclear how and where the services to the new buildings are to be routed. AT Coombes recommend a no-dig construction vehicular access, engineering details of which should be submitted and agreed prior to commencement. Note that service lines beneath such an access would be an oxymoron.

Biodiversity

The findings of Wild Frontier Ecology are accepted as an appropriate appraisal of potential impacts on protected wildlife and provided the mitigation proposals in section 5 are implemented there need be no further action.

CONTAMINATED LAND OFFICER

No objections subject to conditions and an informative.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions which will ensure the applicant provides an air source heat pump noise assessment and installs an anti vibration system. A further condition which will limit the hours of operation for the air source heat pump has also been suggested.

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NORFOLK LANDSCAPE ARCHAEOLOGY

No objection subject to conditions.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER - No Comments Received

ECONOMIC AND STRATEGY OFFICER - No Comments Received

ENABLING OFFICER - No Comments Received

STREETSCENE - No Comments Received

REPRESENTATIONS

There has been a letter of objection with regard to loss of privacy, loss of trees and noise from the air source heat pumps.

ASSESSMENT NOTES

* The application is referred to Planning Committee because it is a major application.

Principle of development

* The application site is within the Settlement Boundary of Swaffham and, as such, the principle of residential development is acceptable. The site is within the defined Town Centre, and part of the accessway/parking area is within a Primary Shopping Area, but this is not considered to be a constraint to development because the proposal does not affect any Primary or Secondary Frontages. Furthermore, the site is now vacant and did not have a previous retail use whilst the adopted Breckland Core Strategy states that residential uses can help town centres to remain vibrant throughout the day and night.

Design

* The proposed buildings will be two storey in height, which is characteristic for the area, and have been designed in accordance with pre-application advice provided by our Historic Building Consultant to ensure that the proposal does not detract from the character of the Conservation Area. Furthermore, the proposed building would be located at an adequate distance from the Listed dwelling to the north-east of the site, known as 'Oakleigh House' to avoid detracting from this building. It is also felt that the layout of the site, which provides adequate landscaping, is sympathetic to the Conservation Area and will actually improve the town centre because the existing buildings can be argued to detract visually from the locality.

Residential amenity

* There is only one dwelling which is located in relatively close proximity to the site, and is not separated by a roadway, which is 'Oakleigh House'. It is considered that the flats would be located at an adequate distance from these premises to avoid issues with regard to overlooking, loss of daylight and overdominance. This is not to say that there would be no impact with regard to overlooking but that the separation distances between the proposed flats and the nearest dwelling are satisfactory in this town centre location. Furthermore, the proposed parking areas would be located at an adequate distance from this property to avoid disturbance from noise and headlights, something which would also be reduced by the existence of existing boundary treatment. With regard to the air source heat pumps, planning conditions will ensure that the pumps are not operating during unsociable hours and that noise levels are not excessive. There

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has been no objection from the Council's Environmental Health Officer.

Highway Safety / Parking

* Adequate car parking can be provided on site whilst it should be noted that the flats would only be a short walk away from numerous public parking areas in the town centre. The access to the site from Lynn Street/Market Place will be widened and there have been no objections from the Highways Officer who has stated that the scheme has taken his pre-application comments on board.

Open space and affordable housing contributions

* As part of this application the developer will be providing 6 affordable units and £14,080 towards children's play and outdoor sports. Both of these contributions meet the tests of policies DC4 and DC11 of the adopted Breckland Core Strategy. The contributions will be secured through a Section 106 Agreement.

Other Issues

* The scheme would not harm any protected species, with regard to birds and bats, and adequate mitigation measures will be conditioned as part of any consent. Natural England and the Tree and Countryside Consultant had no objection to the proposal.

* With regard to trees, the Tree and Countryside Consultant stated that the Arboricultural Impact Assessment by AT Coombes makes sound recommendations and does not object to the application.

* A planning condition will ensure that at least 10% of energy requirements will be from renewable sources.

* The Environment Agency have not objected to the application.

Conclusion

* The proposed residential development would improve the appearance of the Swaffham Conservation Area and would not have a harmful impact on the adjacent Listed Building. The proposal would not be detrimental to the residential amenity of the area and there would be satisfactory access to the site and adequate parking. Sufficient provision for affordable housing and open space is proposed and the tree and nature conservation issues can be addressed by proposed conditions. The proposal therefore accords with relevant policies of the development plan and is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3106** External materials and samples to be approved
- 3920** NLA Condition
- 3920** NLA condition
- 3920** NLA condition
- 3750** Vehicular access

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- 3750** No direct access to/from Whitsands Road
- 3750** Access/parking etc laid out
- 3750** On site parking during construction
- 3750** Scheme of off site highway works
- 3750** Off site highways works to be completed
- 3750** Waiting restrictions
- 3994** Highway Note
- 3920** Noise assessment re air source heat pumps
- 3920** Anti vibration mounts
- 3920** Protected Species Survey
- 3941** Renewable Energy
- 3920** Bat boxes
- 3949** Contaminated Land - Site Investigation/Remediation
- 3946** Contaminated Land - Unexpected Contamination
- 3923** Contaminated Land - Informative (Extensions)
- 3414** Fencing protection for existing trees
- 3415** Trees and hedges
- 3994** Non-standard note re EA
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

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ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0528/CA	CASE OFFICER: James Stone
LOCATION:	SWAFFHAM Former Sixth Form College site (northern part of) Market Place	APPN TYPE: Conserv.Area Consent POLICY: In Settlement Bndry ALLOCATION: Town Centre CONS AREA: Y TPO: N LB GRADE: Grade II
APPLICANT:	Norfolk County Council County Hall Martineau Lane	
AGENT:	NPS Property Consultants Ltd Lancaster House 16 Central Avenue	
PROPOSAL:	Demolish buildings & erect 16 flats, works to boundary walls to widen / improve access & associated works	

KEY ISSUES

Impact on the historic environment

DESCRIPTION OF DEVELOPMENT

The application seeks Conservation Area consent to demolish two buildings on site and would also involve the removal of the temporary building close to the proposed accessway. Furthermore, works would involve demolition of part of a wall close to Lynn Street/Market Place to provide adequate access. This wall is Listed and will also be regulated by a separate Listed Building Consent application. Finally, the application involves the removal of a small section of wall adjacent to Whitsands Road to provide a pedestrian link.

SITE AND LOCATION

The application site covers the northern part of the former Swaffham Sixth Form Centre. The whole of the site is within the Swaffham Conservation Area and Settlement Boundary. To the north east of the site is a Listed Building and wall.

EIA REQUIRED

No

RELEVANT SITE HISTORY

There is currently a full planning application, that accompanies this application, for the erection of

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16 flats and associated infrastructure improvements on site. To the south of the site planning permission has been approved at Planning Committee for 14 dwellings, although the permission is still to be issued because of outstanding Section 106 requirements.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

DC.12 Trees and Landscape
DC.17 Historic Environment

CONSULTATIONS

SWAFFHAM TOWN COUNCIL -

Objection due to highway issues regarding access, as the traffic is very busy already this would not be a good or safe location for access. The access is currently dangerous and additional traffic generated by the residential development would make it much worse. Also to request the applicant amends their application to include a cycle way alongside the pedestrian access through the site.

HISTORIC BUILDINGS CONSULTANT

No objection. As per informal pre application discussion.

REPRESENTATIONS

None

ASSESSMENT NOTES

* The application is referred to Planning Committee because it is relevant to a major planning application (ref: 3PL/2012/0527/F) also on this agenda.

Impact on the historic environment

* The application would result in the demolition of two buildings on site that do not contribute to the character of the Conservation Area. The demolition of small sections of walls adjacent to both Whistands Road and Lynn Street/Market Place is not considered to be harmful to the Conservation Area given the minimal scale of the works.

* The Historic Buildings Consultant has no objection to the proposal.

Other Issues

* A planning condition will ensure that there is no harm to existing trees on site.

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Conclusion

* The proposal would not harm the Swaffham Conservation Area. There would also be no detrimental impact with regard to adjacent Listed Buildings.

RECOMMENDATION Conservation Area Consent

CONDITIONS

- 3011** Conservation Area Consent - Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3414** Fencing protection for existing trees
- 3415** Trees and hedges
- 3998** NOTE: Reasons for Approval
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans

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ITEM	5	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0547/F	CASE OFFICER: Viv Bebbington
LOCATION:	THOMPSON Land adjacent Tom Haven Tottington Road	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Breckland District Council Elizabeth House Walpole Loke	
AGENT:	Daniel Connal Partnership The Glasshouse Kings Lane	
PROPOSAL:	Construction of two bedroom bungalow including landscaping and parking	

KEY ISSUES

Principle of development
Size, scale, siting and external appearance
Impact on street scene
Impact on amenity of neighbouring properties
Impact on Special Interest Feature of SPA

DESCRIPTION OF DEVELOPMENT

The proposal seeks full planning permission for the erection of a two bedroom bungalow. The proposal includes a new vehicular access off the existing cul de sac to provide 2 spaces to the rear of the proposed property.

SITE AND LOCATION

The site is located on an area of open space adjacent existing housing. It is bounded by an estate road to the side and rear and faces on to Tottington Road. The land immediately to the south has permission for a house. The site is within the Settlement Boundary and the buffer zone for the SPA.

EIA REQUIRED

No

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RELEVANT SITE HISTORY

Land adjoining - 3PL/2011/1229/F - erection of two storey detached dwelling and formation of vehicular access.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.10	Natural Environment
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.11	Open Space
DC.16	Design

CONSULTATIONS

THOMPSON P C -

This application was discussed at a meeting of Thompson Parish Council held on 09 July 2012. The Council voted that whilst they had no particular objection in principle to building an affordable property on this site they could not support the project as presented and directed the Clerk to inform you of their decision

There are a number of reasons not supporting the project as presented and these are set out below.

1. It was felt that the property boundaries extending to and being fenced at the roadway are not in keeping with nearby properties. The plot is quite large and it was felt that plans should incorporate a verge around the property similar to that around Toms Haven. This would still allow a good sized garden but retain some green space and be more in keeping with its rural setting.
2. There is an issue with the lack of parking for residents and visitors to the Airey Houses, Tottington Road and additionally access to Nos 7 - 10 Airey Houses is poor. The road in front of the houses is too narrow to allow on-road parking and access for delivery vehicles to Nos 9 & 10 is greatly restricted. Building on this plot will badly affect parking as currently visitors and residents can and do park on this area of land. It was felt that the full width of the plot at its rear, i.e. the area directly in front of Nos 7 and 8 Airey Houses, should be retained for communal parking. This would also contribute to easier access for deliveries to the properties and make up to some extent for the loss of this amenity land.
3. Thompson Parish Council assumes that the property will be affordable housing for rental and would like to see it offered initially to a local long term resident of Thompson in need of a smaller, more modern unit but wanting to continue to reside in the village.
4. Comment also needs to be made regarding the information submitted in your application.
 - a. Firstly under Section 15 Trees and Hedges. You have answered no to the question are there trees and hedges on the development site. There are clearly two trees on the site, both of which will need to be felled to allow the development to go ahead.
 - b. Under Section 11 Foul Sewage. You indicate that disposal is via mains drainage. Thompson has no mains drainage and the Airey houses are served by what we assume is a Packaged Treatment Plant. Does the PTP have the capacity to handle the extra waste from both this

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development the new house to be built on the adjacent plot at 11 Airey House and for which planning consent has already been given?

c. Similarly under Section 12 Assessment of Flood Risk Assessment. You indicate that surface water will be disposed of to main sewer. We re-iterate that there is no main sewer just a PTP and ask how will surface water really be disposed of as sending it to a PTP does not seem to be a satisfactory solution?

We trust that you find these comments of use in your deliberations regarding this application.

ENVIRONMENTAL HEALTH OFFICERS

No objection

MINISTRY OF DEFENCE

No objections

TREE & COUNTRYSIDE CONSULTANT

The proposal is approximately 1000m from the Breckland Special Protection Area but is screened out of the need for further Habitats Regulations Assessment by virtue of having existing buildings in all direction towards the SPA.

The Ecological Report by Wild Frontier Ecology is noted and accepted.

The proposal will result in the loss of green space and two medium trees at the entrance to the close. While some loss would not unduly impact on the street scene and the trees could be replaced were there space to do so, it is noted that a close boarded fence would abut the highway with no footpath and the creation of a canyon entrance to the other existing houses behind.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

The following is a summary of representations received:

Existing turning area insufficient; the existing estate road should be widened; no visitor parking provision; no space around dwelling like Tom Haven property

ASSESSMENT NOTES

* The application is referred to Planning Committee as it is a Breckland Council Application.

Principle of Development

* The proposal is located within the Settlement Boundary and therefore there is no objection in principle to the development of the site providing it can be developed in a satisfactory manner which would be of a density and layout appropriate to the character of the area and would not be

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detrimental to the amenities of adjoining residents.

* The property is of modest size and simple design which is satisfactory in this location.

Size, scale, siting and external appearance

* The applicant has satisfactorily demonstrated that the site is of sufficient size to accommodate the proposed dwelling with sufficient amenity and parking provision. The proposal is similar to the existing development immediately to the north where a similar single storey dwelling has been erected adjacent to and in front of existing Airey houses.

Impact on Street Scene

* The site to the north is larger and therefore afforded a generous strip of grass verge between the highway and the boundary fence. There is insufficient space to provide a similar width strip of land between the boundary of the site and the highway. The agent was requested to set the fence back and provide grass verge of at least 1m between the fence and the highway. However, due to issues regarding maintenance, the proposal has been amended to replace the proposed 2m close boarded fence with a post and rail fence and beech hedge to soften the development. The boundary fence remains against the carriageway.

* It is considered a post and rail fence with hedge would achieve the same objective and provides a soft edge to the development. Conditions have been imposed to ensure the hedge is planted and retained and permitted development rights for walls and fences have been removed.

Impact on amenity

* The dwelling is positioned in line with the existing properties along Tottington Road. There is a sufficient degree of separation between the proposed dwelling and the existing dwellings to the rear to ensure the proposal does not have an overbearing impact on residential amenity. The proposal is single storey and therefore is unlikely to adversely impact on the properties to the rear in terms of overlooking and loss of privacy.

* A condition has been imposed to prevent any additional windows above ground floor level to protect residential amenity. A further condition has been imposed to remove Permitted Development rights for garages, to protect the outlook from the properties to the rear.

Impact on Special Interest Feature of the SPA

* The proposal has been assessed in accordance with the Habitat Regulations and it has been concluded that the proposal is unlikely to have a significant adverse impact on the Stone Curlew special interest feature of the SPA. A condition has been imposed requiring a replacement tree to be provided within the site.

Other Issues

* The applicant has confirmed that a clause is to be added into the contract of sale requiring the purchaser to enter into a unilateral agreement with the Council to provide a financial contribution towards outdoor recreation. The proposal satisfies policy DC 11.

* Conditions regarding foul and surface water drainage have been imposed as, contrary to the application form, there is no mains drainage available in the village.

* The views of the Parish Council have been taken into account by the amended plans in respect of the boundary treatment and by the imposition of conditions in respect of drainage, boundary treatment and tree replacement. However it should be noted that the applicant has indicated that the land would be sold for open market housing and not developed for affordable housing as assumed by the Parish Council.

* The Highway Engineer has raised no objection to the proposal in respect of the access and parking issues.

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Conclusion

* In conclusion, the proposal is considered acceptable in principle and is of a size, scale and appearance in keeping with the character of the area. The proposal would not have a detrimental impact on the amenity of the area and adjacent occupiers. The proposal is considered to accord with policy and is recommended for approval.

RECOMMENDATION	Planning Permission
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CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- PD01** No additional windows at first floor
- PD04** No PD for fences, walls etc
- PD06** No PD for extensions, garages, ancillary buildings
- MT03** External wall and roof materials to be agreed
- LS10** Implementation of submitted boundary treatment
- LS17** Replacement tree
- LS08** Hedge planting
- HA17** New access gates, doors - inward opening
- HA20** Provision of visibility splays - conditioned
- HA24** Provision of parking and servicing - when shown on plan
- 3990** NOTE: non standard highway note
- 3990** NOTE: non standard highway note
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

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ITEM	6	RECOMMENDATION : REFUSAL
REF NO:	3PL/2012/0579/F	CASE OFFICER: James Stone
LOCATION:	WHINBURGH/WESTFIELD Land to West of Shop Street	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr & Mrs R W Key Rysa Lodge School Road	
AGENT:	Alan Irvine Heath Farmhouse Heath Farm	
PROPOSAL:	Erection of detached dwelling with garage & new access	

KEY ISSUES

Residential development in the countryside
Design and character of the area
Residential amenity
Highway safety and parking

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of a detached, two-storey dwelling and detached garage. The proposal also includes the creation of a new access way to the site.

SITE AND LOCATION

The site is located outside of a Settlement Boundary but is bordered by residential development to the north, east and south and is located in an area that is characterised by the existence of detached dwellings in substantial plots.

EIA REQUIRED

No

RELEVANT SITE HISTORY

Permission was refused under ref: 3PL/2011/0616/F at Planning Committee on 8th August 2011 for a very similar scheme to this proposal. The application was refused because there was no

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financial provision for affordable housing and because there was no special justification for a dwelling outside the Settlement Boundary. It should be noted that when this application was determined there was a Settlement Boundary for Whinburgh/Westfield.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision

CONSULTATIONS

WHINBURGH & WESTFIELD P C -

To be reported verbally

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

TREE & COUNTRYSIDE CONSULTANT

The full provisions and recommendations of the Arboricultural Impact Assessment and Method Statement JBA 10/192 ARO2 RevB June 2011 should be appended to any consent

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions with regard to details of surface water and foul water disposal.

HOUSING ENABLING OFFICER

The application site sits outside of the development boundary and therefore any development should be for 100% affordable housing.

However, if the principle of development is established then a contribution to affordable housing will be required as the site size exceeds 1.7ha (as per core strategy DC4).

Considering the nature of the site and that a single dwelling is proposed, the Strategic Housing Team deem that a financial contribution towards affordable housing would be better suited than

DC131_new

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an on-site dwelling.

REPRESENTATIONS

Letters of representation raise the following issues:

Previous refusal; site is outside Settlement Boundary; Whinburgh is not a sustainable village; it lacks services and facilities; further development following proposals for barn conversions in the area; concern regarding access roads, drainage and lack of lighting; impact on wildlife.

ASSESSMENT NOTES

* The application is referred to the Planning Committee because of the contentious nature of the proposal. The application is being recommended for refusal because it is contrary to policy, representing residential development outside of the Settlement Boundary. The site is adjacent to existing residential development and there are deemed to be no other reasons for refusal.

Residential development in the countryside

* The application site is located within the countryside and, as such, special justification, in normal circumstances, would be required for the erection of a dwelling. However, it is considered that since the application site is surrounded by residential development, the erection of a new dwelling would be in keeping with the character of the area and the proposal would not represent residential encroachment into the countryside. However, it should be noted that since the previous application was presented to Planning Committee in 2011 the Settlement Boundary for Whinburgh/Westfield has been removed as part of the adopted Site Specifics DPD process. The proposal would therefore be contrary to 'Policy DC 2 Principles of New Housing' of the adopted Breckland Core Strategy which states that new housing should be 'within the Settlement Boundaries as defined on the proposals map'. The application site was not in the Settlement Boundary in 2011 but was near to one. Now there is no Settlement Boundary in the locality. It should also be noted that the NPPF states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development'. It is considered that the application site is not situated in a sustainable location and is contrary to guidance contained in the NPPF.

Design and character of the area

* The site is of a size that would result in a density of development that is similar to surrounding plots and would not be out of character with development in the local area. Furthermore, the design of the proposed dwelling is sympathetic to the appearance of surrounding dwellings, the majority of which are also two storey in height.

Residential amenity

* The dwelling would be located at a significant distance from neighbouring properties to avoid issues with regard to loss of sunlight, overlooking and overdominance.

Highway safety and parking

* The Highways Officer has not objected to the proposal and there would be adequate parking available on site.

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Other Issues

- * A unilateral agreement will ensure sufficient financial contribution towards open space and affordable housing provision.
- * The Tree and Countryside Consultant has not objected to the application and has stated that the proposed ecological mitigation measures are acceptable.
- * Finally, the site is located within an area that suffers from poor drainage but the Council's Environmental Health Officer does not feel that this is an obstacle to development providing a scheme to ensure adequate surface water drainage is implemented.

Conclusion

- * In summary, notwithstanding those positive aspects of the scheme outlined above, the application is recommended for refusal because of the proposed location of the dwelling outside of the Settlement Boundary. The proposal represents the erection of a dwelling in the countryside, without special justification and is contrary to 'Policy DC 2 Principles of New Housing' of the adopted Breckland Core Strategy and to guidance in the NPPF. The site is also remote from a Settlement Boundary following the removal of the Whinburgh/Westfield Settlement Boundary.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Outside Settlement Boundary

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ITEM	7	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0623/F	CASE OFFICER: Lisa Hendry
LOCATION:	DEREHAM 73 Theatre Street	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs D Smith 73 Theatre Street Dereham	
AGENT:	Sketcher Partnership Ltd First House Quebec Street	
PROPOSAL:	Proposed alterations and extensions to cottage together with cart shed style garage	

KEY ISSUES

Principle of development
Design and appearance
Impact upon neighbour amenity

DESCRIPTION OF DEVELOPMENT

This application proposes an extension to form a lobby, utility, wc/shower room and conservatory at ground floor level with a bedroom/en-suite and bathroom above. The extension will be constructed using materials to match existing. A detached open fronted cart shed style garage is also proposed which will replace an existing garage constructed of corrugated sheeting.

SITE AND LOCATION

73 Theatre Street is a semi detached 2 storey dwelling located inside the Settlement Boundary in Dereham. The property is situated on the corner of Theatre Street and Emelson Close and is adjoined by residential dwellings.

EIA REQUIRED

No

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RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

DC.01	Protection of Amenity
DC.16	Design

CONSULTATIONS

DEREHAM T C -

No objection

NORFOLK COUNTY COUNCIL HIGHWAYS

I understand the site already benefits from vehicular access via Emelson Close and that if approved this is to remain unchanged. From inspection of the drawings no other means of access would appear to be proposed. On the basis of the information submitted I would raise no objection to the application but would recommend that a condition be appended to the consent notice relating to the provision of on-site car parking.

REPRESENTATIONS

None

ASSESSMENT NOTES

* The application is referred to the Planning Committee as the applicant is an employee of Breckland Council.

Principle of Development

* The dwelling lies inside the Settlement Boundary where the principle of development is acceptable subject to appropriate design details and there being no adverse impact upon residential amenity.

Design & Appearance

* The proposal is considered acceptable in terms of scale, design and materials and is consistent with the existing dwelling. The loss of the flat roof would be an improvement in design terms. The open fronted cart shed is also considered to be an improvement on the existing garage which is constructed of corrugated sheeting and will be removed. The use of matching materials will relate adequately to the existing dwelling.

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Amenity

* The proposed works are not considered to adversely impact on the amenity of neighbouring properties. The composition of the extension coupled with the boundary treatment means that neither outlook, privacy or light would be significantly compromised. The bungalow to the front of the site has a large flat roof extension with no windows in the rear elevation and as such will not be overlooked by virtue of the new extension. Whilst the cart lodge is taller than the existing garage and will be sited further back into the site it is not considered to cause an unacceptable loss of outlook or light to the adjacent properties to the north in Emelson Close although it is noted that the rear gardens to these properties are quite small.

Conclusion

* Given that the design and appearance of the extension and garage are considered to be acceptable and there would be no adverse impact upon residential amenity, the scheme is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- MT02** External materials as approved
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

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ITEM	8	RECOMMENDATION : REFUSAL
REF NO:	3PL/2012/0627/F	CASE OFFICER: James Stone
LOCATION:	YAXHAM Yaxham Mill Norwich Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr Ray Newton Eatlehawk Properties Ltd Park Lodge	
AGENT:	Mr Ray Newton Eatlehawk Properties Ltd Park Lodge	
PROPOSAL:	Change of use of office, laundry, store room and foyer into a 2 storey dwelling with ground floor extension	

KEY ISSUES

Creation of a dwelling in the countryside
Highway safety

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use of an existing office, laundry room, storeroom and foyer into a two-storey dwelling. The dwelling would be used by the parents of an existing employee at the site to help provide assistance with the running of the Yaxham Mill bed and breakfast operation. The proposal includes a two-storey extension to the existing accommodation block to provide the new dwelling for the employee's parents.

SITE AND LOCATION

The application site is located on the Yaxham Mill complex which consists of three businesses. These are 'The Mill Café, Bar and Restaurant', a terrace of self-catering cottages called 'The Mill Cottages' and the Yaxham Mill itself with the adjoining accommodation block. The complex is located in the countryside and is surrounded by open fields.

EIA REQUIRED

No

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RELEVANT SITE HISTORY

Ref: 3PL/2000/0318/F granted permission for the residential conversion of the Mill including construction of a new function room with B&B accommodation.

Planning permission was refused under ref: 3PL/2012/0264/F for an identical scheme to this planning application. Permission was refused because the proposal represented the creation of a new dwelling in the countryside without an essential need or special circumstances and because of unsatisfactory access to the site.

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
DC.19	Parking Provision

CONSULTATIONS

YAXHAM P C -

We would like to raise an objection on the grounds of poor vehicular access. Further development will result in increased traffic.

NORFOLK COUNTY COUNCIL HIGHWAYS

Reiterate objections to previous. Recommend refusal on grounds of unsatisfactory access and interference with free flow of traffic.

HISTORIC BUILDINGS CONSULTANT

No objection.

CONTAMINATED LAND OFFICER

No objections

REPRESENTATIONS

None

ASSESSMENT NOTES

* This application is referred to the Planning Committee at the request of a Ward Member.

Creation of a dwelling in the countryside

* The application seeks approval for the creation of a new dwelling in the countryside.

* Policy DC 2 Principles of New Housing of the adopted Breckland Core Strategy states that new housing development should be within defined Settlement Boundaries. The application site is within the countryside and is not close to a Settlement Boundary and, as such, is contrary to this policy. The site is approximately 1,700 metres from the nearest Settlement Boundary belonging to a Service Centre, in this case Dereham. The distance of the site from the Yaxham Settlement Boundary is approximately 200 metres.

* Guidance in the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The NPPF also explains that support should only be given to sustainable rural tourism, in appropriate locations, where identified needs are not met by existing facilities in rural service centres. Furthermore, the NPPF encourages pre-application discussions and it should be noted that pre-application discussion has taken place with the applicant since the last refusal on the site to enable further understanding of the operation of the business.

* It is still felt that the proposal would not involve the re-use of a redundant building or enable the restoration of a heritage asset. The applicant has explained that the new dwelling would enable the parents of an existing employee to live on the site and help out with the bed and breakfast business. This does not constitute an essential need given the relatively small scale of the business and the fact that there is already one employee living on site.

* It is noted that the applicant sold off other parts of the site which include 'The Mill Café, Bar and Restaurant' and a terrace of self-catering cottages called 'The Mill Cottages'. The applicant therefore no longer has control of buildings capable of providing residential accommodation that are adjacent to this application site.

* The applicant has also failed to provide any evidence to illustrate that they have looked for other properties in the area that could enable them to work on the site when needed.

* The NPPF aims to support sustainable development. One of the key tests for decision-takers in assessing sustainable development is that proposals that accord with the development plan should be approved without delay. In this case the development proposal is not considered to accord with policy and the applicant has not explored the possibility of a more sustainable alternative.

Highway Safety

* The Highways Officer has objected to the proposal on grounds that the access is unsatisfactory to serve the proposed development by reason of its limited width and poor layout and geometry.

Other Issues

* The proposal would not be harmful to the residential amenity of the locality given the isolated location of the site.

* The design of the proposal is considered to be acceptable and sympathetic to the appearance of the existing building to which it would adjoin. There have been no objections from the Historic Building Consultant.

Conclusion

* The proposal would represent the creation of a dwelling in the countryside without special circumstances or an adequate identified need. The applicant has also failed to explore the availability of other accommodation in the area. Furthermore, there is already residential accommodation on the site for one worker and the applicant recently sold off other parts of the

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site that provided residential accommodation. The NPPF supports rural economic growth but also states that such development should be sustainable. It is also important to remember that whilst weight should be given to the NPPF it does not override the policies of the adopted Breckland Core Strategy which the proposal is contrary to. Finally, the creation of a dwelling would increase the use of an existing sub-standard access way and would be detrimental to highway safety.

RECOMMENDATION Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Reason for refusal -Policy DC 2 -Dwelling in the countryside

9900 Reason for refusal - Safe & free flow of traffic

BRECKLAND COUNCIL PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Approved

3NM/2012/0048/NMA R Hancy & Sons	BANHAM White House Lane The Moor	Amendment to 3PL/2012/0251/F change of turbine unit from QR-H5 turbine unit - to Evance R9000 turbine unit
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DOC - COMPLETE

3DC/2012/0007/DOC Mr D Daniels	STANFIELD Manor Farm Back Lane	Discharge of conditions 4, 9 & 13 on pp 3PL/2010/0893/F
3DC/2012/0057/DOC JD Weatherspoon PLC	THETFORD Red Lion Inn Market Place	Discharge of condition 10 on pp 3PL/2011/1007/F
3DC/2012/0058/DOC JD Wetherspoon PLC	THETFORD Red Lion Inn Market Place	Discharge of condition 7 on pp 3PL/2011/1008/LB
3DC/2012/0074/DOC Greene King	THETFORD The Chase Newtown	Discharge of condition 4 on 3PL/2011/1171/F
3DC/2012/0088/DOC Flagship Housing Group Ltd	CARBROOKE Land Adjacent to 4 Muriel Way	Discharge of condition 10 on pp 3PL/2008/1471/F
3DC/2012/0098/DOC Heitz Engineering Ltd	DEREHAM Heitz Engineering Ltd 24 Charles Wood Road	Discharge of condition 3A-3G on 3PL/2011/0980/F
3DC/2012/0107/DOC Mr & Mrs Easter	NORTH TUDDENHAM Woodhaven Low Road	Discharge of condition 4 on pp 3PL/2012/0335/F

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

DOC - COMPLETE

3DC/2012/0099/DOC	G M G Building Services	YAXHAM Plot 4 (Known as Plot 7) Land off Station Road	Discharge of conditions 3 & 7 on 3PL/2011/1378/F
3DC/2012/0096/DOC	Mr Damian Middleton	CARBROOKE Neighbourhood Centre Blemheim Grange	Discharge of condition 2 on 3PL/2009/0990/D
3DC/2012/0078/DOC	R J Bidewell & Son	NORTH ELMHAM Bridge located West of Yarrow House	Discharge of condition 3 on pp 3PL/2012/0160/F
3DC/2012/0071/DOC	Mr D Taylor	HARLING Land east of Lopham Road	Discharge of conditions 3, 4, 6, 7, 8, 10, 13, 14, 15 & 17 on 3PL/2010/0374/F
3DC/2012/0069/DOC	Mrs D Ridgway	THOMPSON Hallfield Farmhouse Hallfield Road	Discharge of conditions 3 & 4 on pp 3PL/2011/0240/LB
3DC/2012/0068/DOC	Mrs D Ridgway	THOMPSON Hallfield Farmhouse Hallfield Road	Discharge of conditions 3 & 4 on pp 3PL/2011/0933/F

DOC-Discharge FULL

3DC/2012/0059/DOC	Mr B White	LONGHAM Longham White Horse Wendling Road	Discharge of conditions 4 & 5 on pp 3PL/2012/0124/F
3DC/2012/0097/DOC	Mr & Mrs Colin Baxter	MATTISHALL 93 Dereham Road	Discharge of condition no. 5 on pp 3PL/2012/0208/D

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

DOC-Discharge FULL

3DC/2012/0094/DOC	Mr Philip Hendry	BILLINGFORD Former Chapel Holl Lane	Discharge of conditions 3, 4 and 5 on pp 3PL/2009/0012/F
3DC/2012/0083/DOC	Clayland Estates	WATTON 130 Dereham Road	Discharge of conditions 7& 8 on pp 3PL/2011/1067/F
3DC/2012/0089/DOC	Mr T Morter	GREAT ELLINGHAM Ellister Swamp Lane	Discharge of conditions 5 & 6 on pp 3PL/2009/0353/F
3DC/2012/0093/DOC	Dr M Boulton and Dr A Maule	MATTISHALL 17 and 21 South Green	Discharge of condition no. 3 on pp 3PL/2012/0316/LB
3DC/2012/0092/DOC	Dr M Boulton and Dr A Maule	MATTISHALL 17 and 21 South Green	Discharge of condition no. 3 on pp 3PL/2012/0315/F
3DC/2012/0073/DOC	Lidl UK GmbH	DEREHAM Kingston Road	Discharge of conditions 3, 4 & 7 on pp 3PL/2010/0206/F

Decision Made

3SO/2012/0002/SCO	Client of Acorus	KENNINGHALL Ashtrees Farm Off Church Street	Upgrade of existing poultry unit (Exceed Schedule 1 threshold of 80,000 broilers)
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Permission

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2011/1315/F	Mr S Moore	SAHAM TONEY Evermore Bungalow 169 & 171 Hills Road	Removal of agricultural restriction condition from 169 Hills Road and transfer onto 171 Hills Road
3PL/2012/0004/F	Mr Trappes-Lomax	HOCKHAM Land adjacent North Farm Shropham Road	Erection of detached dwelling & garage, served by previously approved access
3PL/2012/0051/F	Mr Mark Hinds	ASHILL Low Common Farm Low Common	Demolish existing dwelling and erect replacement dwelling
3PL/2011/1395/F	Mr L Harbour	DEREHAM Borrow Hall Dumpling Green	Restoration, alterations & annexe to Borrow Hall & siting of solar PV panels on building in curtilage
3PL/2012/0204/F	Mrs Sarah Hughes-Wade	WENDLING The Firs	MMA 3PL/2008/0608 amend parking layout, revise siting sports pitch, add play equipmt & revisions to bldg,bike track
3PL/2012/0206/F	Mr T Newton	DEREHAM 4 Hall Cottages Gressenhall Road	Erection of two storey side extension and alterations to dwelling
3PL/2012/0307/F	Kings Security Systems Ltd	CARBROOKE Spar Store 4 Vulcan Place	Install ATM through new laminate panel & ticket receipt rubbish bin on adjacent wall next to ATM (ret
3PL/2012/0395/F	Mr A Martin	EAST TUDDENHAM 3 Bull Close	Erection of extension to west side for utility, kitchen & front entrance

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0461/F	Mr J Booty	SHROPHAM The Old Post Office Hargham Road	Extensions & associated alterations, erection of detached garage inc. demo. of existing garage/outbdg
3PL/2012/0457/F	Mr Philip Rudling	SHIPDHAM Keystone Barn Carbrooke Lane	Change of use of land from agricultural to domestic & erection of 18m x 12m steel framed storage shed
3PL/2012/0433/F	Dunning Timber Frames Ltd	BESTHORPE Land adjacent Church View Silver Street	Erection of new dwelling and garage
3PL/2012/0426/D	S E Developments Ltd	SCARNING Riversdale Dereham Road	Demolition of bungalow & erection of 8 dwellings
3PL/2012/0425/F	Mr & Mrs Chris Wright	DEREHAM 228 Norwich Road	Proposed ground floor extension
3PL/2012/0424/F	SPH Norfolk Ltd	BEESTON Herne Lane	Workshop (retrospective)
3PL/2012/0422/F	Mr R Hacon	SCARNING 2 New Inn Lane	Single storey rear extension
3PL/2012/0401/F	Mr & Mrs R Holliday	YAXHAM Tud Farm Cutthroat Lane	Erection of 2 additional stables, store building and menage to existing equine premises

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0396/F	Ms Philippa Edmonds	STOW BEDON/BRECKLES Stapleford Grange Bray's Lane	Installation of a single small scale wind turbine (14.97m to hub, 5.6m diameter blades)
3PL/2012/0497/F	Anglian Water Services	BRADENHAM Bradenham Water Treatment Works Bradenham Road	Proposed increase in height of existing borehole kiosk
3PL/2012/0494/F	Anglian Water Services Ltd	BRADENHAM Borehole Site New Lane	Proposed increase in height of existing borehole kiosk
3PL/2012/0493/F	Mr R Baker	BRETtenham Rushford Manor Rushford	Single storey extension to existing games room
3PL/2012/0492/F	Mr J Edgar	HARDINGHAM Top Yard Shed Hardingham Station	Erect steel framed monopitch building attached to existing building
3PL/2012/0489/F	Mr & Mrs M Keane	GRESSENHALL Dale Farm Bushy Common	Demolish existing outbuilding, construct new porch/utility extension & dormer to existing roof space
3PL/2012/0487/F	Mr & Mrs B Seaman	ATTLEBOROUGH 21 Woodside Park off Ollands Road	First floor rear extension over existing building, single storey infill to front
3PL/2012/0486/F	Mr C Fisher	DEREHAM 47 Crown Road	Part demolish rear single storey extension then build one & two storey rear extensions

BRECKLAND COUNCIL

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List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0485/F	Mr James Smith	THETFORD 30 Abbeygate	Rear extension to provide disabled access
3PL/2012/0484/F	Mr W Butler	WATTON 87 Brandon Road	Erection of single storey side extension & one and a half storey rear extension
3PL/2012/0543/F	Mr C Stone	ATTLEBOROUGH 13 Birch Drive	Erection of garden shed to be used as storage (Retrospective)
3PL/2012/0538/F	Mr & Mrs Westall	WATTON 29 Queensway	New front porch
3PL/2012/0536/F	Mrs Andrea Stanley	SHIPDHAM Copelands Farm Carbrooke Lane	20m X 50m Outdoor riding arena for private use surrounded with a post and rail fence.
3PL/2012/0534/F	Mr D Shipp	WATTON Swaffham Road	Erection of 2 no. dwellings and vehicular access
3PL/2012/0533/F	Mr & Mrs R Thomas	YAXHAM Fieldings Drive Station Road	Erection of one and a half storey dwelling
3PL/2012/0531/F	Mrs L Pleass	SWAFFHAM 58 Southlands	Change of use from shop to residential (lounge) & extensions to ground floor & first floor

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0530/F	Mr Bob Cave	OVINGTON Church Farm Carbrooke Road	Installation of a three micro scale wind turbines (14.97m to hub, 5.6m diameter blades)
3PL/2012/0522/F	Mr and Mrs N Hooper	WRETHAM 2 Thorpe Farm Cottages Croxtan Road	Erection of a two storey front extension to provide new entrance, lounge and bedroom
3PL/2012/0519/F	Mr Stan Peach	NARBOROUGH 68 Westfields	Front extension forming larger kitchen, bathroom and entrance porch
3PL/2012/0582/F	Mr A L James	ATTLEBOROUGH 58 Mill Lane	Erection of detached double garage
3PL/2012/0580/F	Mr & Mrs I Trayton	THETFORD 16 Foxglove Road	Side extension to dwelling
3PL/2012/0574/O	Mr & Mrs N Hammond	SCARNING Adjacent 65 Dereham Road	Erection of cottage style house including demolition of existing garage
3PL/2012/0570/F	Mr & Mrs King	ICKBURGH 25 Ashburton Road	Demolition of existing single storey side extension and construction of a single storey side extension
3PL/2012/0568/F	Mr A Read	OVINGTON The Old Mill Barn The Old Mill House	MMA to pp 3PL/2011/0172/F in respect of change to roof tile move window to bed 2, removal of velux, lower chimney height

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0566/F	Mr & Mrs J Crocker	BEETLEY Brecklands 48 Elmham Road	Erection of 3 bed dwelling with attached garage
3PL/2012/0565/F	Mr & Mrs T Green	MATTISHALL Four Winds Mill Road	Single storey extension to form annexe for parents
3PL/2012/0563/F	Mr K Drewry	ATTLEBOROUGH 19 Beech Avenue	Single storey rear extension
3PL/2012/0559/A	Home Retail Group	THETFORD Argos Ltd 2 Riverside Walk	Standard branded signage for Argos store
3PL/2012/0529/LB	Norfolk County Council	SWAFFHAM Frontage wall Market Place	Remodelling of wall to widen vehicular access to former Sixth Form Centre site (reuse existing materials)
3PL/2012/0523/CU	Mr P Warren	OLD BUCKENHAM 53 Fen Street	Change of use of agricultural land to garden with fencing (retrospective)
3PL/2012/0515/LU	Mr & Mrs Whalley	BEESTON Valentine Barn Dereham Road	Convert garage into bedroom (Certificate of Lawfulness)
3PL/2012/0513/LB	Mr Wei Dong Xu	DEREHAM 9 Quebec Street	Separate existing building in to two units - ground floor for retail, first & second floors for residential

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0511/LB	J D Wetherspoon	THETFORD Red Lion Inn Market Place	Proposed installation of CCTV
3PL/2012/0501/CU	Mr Paul Salter	DEREHAM 5 Yaxham Road Industrial Estate Greens Road	Change of and additional use to include a martial arts & fitness school & internet base for martial arts supplies
3PL/2012/0472/LB	Mrs Karen Elsbury	OLD BUCKENHAM Buckenham Priory Abbey Road	Proposed alterations and improvements
3PL/2012/0259/LB	Mr S Mozumder	LITTLE DUNHAM Canister Hall Palgrave Road	Single storey rear garden/utility extension, remove existing lean-to and erect new replacement store
3PL/2011/1396/LB	Mr L Harbour	DEREHAM Borrow Hall Dumpling Green	Restoration, alterations & annexe to Borrow Hall & siting of solar PV panels on building in curtilage
3NM/2012/0053/NMA	Dereham Town Football Club	DEREHAM Aldiss Park Bowls Club Aldiss Park	Amendment to pp 3PL/2012/0197/F to reduce size of pavillon
3NM/2012/0047/NMA	Miss B Boustead	MILEHAM Wyken Farm Rattle Row	Amendment to 3PL/2012/0320/F change of turbine unit from QR-H5 turbine unit - to Evance R9000 turbine unit
3NM/2012/0046/NMA	Mr D Matthews	GREAT ELLINGHAM Broadmarsh Farm Long Street	Amendment to 3PL/2012/0309/F change of turbine unit from QR-H5 turbine unit - to Evance R9000 turbine unit

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3NM/2012/0045/NMA J J Davey	GREAT ELLINGHAM Cherry Tree Farm House Long Street	Amendment to 3PL/2012/0344/F change of turbine unit from QR-H5 turbine unit - to Evance R9000 turbine unit
3NM/2012/0042/NMA Mr M Campbell	OVINGTON 2 Mill Lane The Street	Amendment to pp 3PL/2012/0302 Change turbine unit from HY-5 to Evance R9000
3NM/2012/0041/NMA Mr D Garrett	ATTLEBOROUGH 6 Foundry Corner	Amendment to 3PL/2011/1065/F additional window to lounge
3NM/2012/0038/NMA Mr I Leonard	SHIPDHAM Hall Farm	Amendment to 3PL/2012/0207/F change of turbine unit from QR-H5 turbine unit - to Evance R9000 turbine unit
3NM/2012/0037/NMA Mr P Riches	WHINBURGH/WESTFIELD Archers Farm Whinburgh Road	Amendment to 3PL/2012/0346/F replace single door on west with 2 doors & reposition personnel door on north side
3NM/2012/0036/NMA Mr R Green	WEETING 7 Pilgrims Way	Amendment to 3PL/2012/0058/F Replace large window side elevation with 2 smaller windows
3NM/2012/0034/NMA Mr B Cooper	BAWDESWELL School House Billingford Road	Amendment to pp 3PL/2012/010 - change roof from hipped to semi hipped at front of garage
3NM/2012/0033/NMA Mr D Taylor	HARLING 16 Spinney Drive (also known as Plot 8 Lopham Road)	Amendment to pp 3PL/2009/106 - single storey garden room added to rear of plot 8

BRECKLAND COUNCIL

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List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3NM/2012/0032/NMA	Mr & Mrs Brogan	BLO' NORTON Fen View Cottage Fen Road	Amendment to pp 3PL/2002/183 - slightly larger single storey side extension
3TL/2012/0008/TL	Barchester Healthcare Homes	THETFORD Ford Place Care Home Ford Street	Extension of time limit on pp 3PL/2009/0348/F and 3PL/2009/0349/LB - 2 bedroom extension and dayroom
3PL/2012/0662/EU	Mr R Nunn	NORTH LOPHAM Grange Farm 86 The Street	Removal of outside boiler, retention of existing chimney insert new boiler inside extg agricultural building
3PL/2012/0603/LU	Ms H Graham	SWAFFHAM 60 Mill Farm Nurseries	Loft conversion with rear dormer (certificate of lawfulness)
3PL/2012/0571/LB	Litcham Post Office	LITCHAM Post Office Church Street	Repaint shop front, replace fascia panel and window vinyls
3PL/2012/0626/F	Mr Jenkins	DEREHAM 19 Dunlop Road	Front porch for disabled access/storage
3PL/2012/0620/F	Mr & Mrs N Marshall	DEREHAM 15 Colin McLean Road	Conversion of garage to study and utility room and first floor extension over
3PL/2012/0613/F	Miss Samantha Griss	COLKIRK Brambly Hedge Dereham Road	Convert garage to playroom and erection of rear two storey extension with juliette balcony

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0609/F	Mr & Mrs T Ing	OLD BUCKENHAM Ashwood Farm Stacksford	Remove condition no.6 on 3PL/1997/0103/F - agricultural occupancy
3PL/2012/0605/F	C & R Projects	ASHILL 2 Goose Green	Reversion to two dwellings & provision of new single storey rear extension
3PL/2012/0598/F	Mr & Mrs R Nairn	HOLME HALE 4 White Houses Browns Lane	Single storey rear extension to dwelling
3PL/2012/0590/F	Mr N Orsgood	DEREHAM 111 Shipdham Road Toftwood	Erection of closeboarded fence and trellis work to front boundary (Retrospective)
3PL/2012/0584/F	Mr and Mrs D Randall	BEESTON Glebe House Dairy Drift	West elevation single storey extension
3PL/2012/0558/F	Mr Neal	THETFORD 82 Mackenzie Road	Replacement of existing timber conservatory with upvc white conservatory
3PL/2012/0553/O	Mr & Mrs D Harrison	DEREHAM Rear of 45 Quebec Road	Erection of single storey dwelling
3PL/2012/0552/F	Mr A Booth	CRANWORTH The Timber Barn Letton	Erection of triple bay cart lodge/garage, convert existing integral garage to form play room and re-align driveway

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0551/F	Mr A Booth	CRANWORTH The Timber Barn Letton	Erection of 2 no. "log cabin" style garden buildings (Retrospective)
3PL/2012/0550/F	Mr Colin Giles	BANHAM Littlemoor Barn The Moor	Proposed Porch & Covered Way
3PL/2012/0548/F	Mr Robert Bane	OVINGTON Wood Farm Dereham Road	Installation of a single micro scale wind turbine (14.97m to hub, 5.6m diameter blades)
3PL/2012/0546/F	Mr A Durrant	BEETLEY 9 Fakenham Road	Demolition of kitchen and conservatory, erect new extension with playroom above and part garage conversion
3PL/2012/0545/F	Mr & Mrs N Hardy	DEREHAM 5 Woodfield Toftwood	Demolish existing conservatory and erection of single storey rear extension
3PL/2012/0516/D	Mr Chris Hancy	ATTLEBOROUGH Adjacent to No.11 Warrens Lane	New detached house with integral garage
3PL/2012/0514/F	Mr C Wilson	HARLING Eden House Church Road	New two storey rear extension and reconstruction of garage and utility area
3PL/2012/0512/F	Mr & Mrs Eldridge	ATTLEBOROUGH 67 Queens Road	Conversion of garage to granny annexe and erection of conservatory and canopy extension for parking

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0510/F	Mr N Wastell	OLD BUCKENHAM East View Attleborough Road	Decking area (Retrospective)
3PL/2012/0506/F	Mr Keith Duggan	WEASENHAM ALL SAINTS The Wheatcroft Dodma Road	Erection of a detached garage to the side of the dwelling
3PL/2012/0504/F	Mr Donald Edwards	QUIDENHAM Bracken House	Removal of agricultural occupancy condition on pp W.5828
3PL/2012/0502/F	Miss J M Trohear	ROUDHAM/LARLING Grange Farm Bungalow	Remove existing shed and erection of new timber framed shed
3PL/2012/0498/F	Mr Karen Syer	ASHILL The Lodge Care Home Watton Road	Minor material amendment to pp 3PL/2011/1023/F in respect of amendments to layout and roof configuration (conds 2 & 6)
3PL/2012/0475/F	Mr & Mrs A Elden	MATTISHALL 7 Thynnes Lane	Erection of conservatory extension to the front of the dwelling
3PL/2012/0474/F	Mr & Mrs J Cook	MATTISHALL 11 Cedar Close	Erect two storey side extension & single storey extension to rear
3PL/2012/0473/F	Mr & Mrs K Chapman	BESTHORPE 129 Besthorpe Road	Two single storey side extensions and new access

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2012/0471/F	Mrs S Painter	SPORLE The Hollies 22 The Street	Front & rear two storey bays, first floor extension over garage, front entrance canopy, access resited, landscaping
3PL/2012/0469/F	Go-Ahead Group Plc	DEREHAM 5 & 7 John Goshawk Road	Demolish unit 7, refurbish & Change of use of unit 5 to bus depot, hardstanding & erect 3m acoustic fence
3PL/2012/0468/F	Mr R Chamberlain	WRETHAM 2 Keepers Corner Church Road	Demolition of existing conservatory & porch, erect new porch and extension
3PL/2012/0467/F	Mr and Mrs S Radford	GRESSENHALL Radford Hall Church Lane	Proposed extension and alterations (Amended Design)
3PL/2012/0462/F	Croxton Park Ltd	THOMPSON Land at Hall Lane	Installation of 5 photovoltaic tracker arrays
3PL/2012/0308/A	Kings Security Systems Ltd	CARBROOKE Spar Store 4 Vulcan Place	Internally illuminated sign & integral illuminated decal to advertise ATM use
3PL/2012/0230/F	Mr S Mozumder	LITTLE DUNHAM Canister Hall Palgrave Road	Demolish lean-to extension & erect single storey rear extension (new garden room & utility) & replacement store
3PL/2012/0205/F	Mrs Sarah Hughes-Wade	WENDLING The Firs Hulver Street	C/U of land to campsite & education venue, inc. temp standing 2 t-p's & yurt & C/U outbdg to toilet/shower block

Refusal

BRECKLAND COUNCIL

PLANNING COMMITTEE

List of decisions made by the Breckland Council under the agreed terms of delegation.

Refusal

3PL/2012/0151/F	Dereham Town Football Club	DEREHAM Dereham Town Football Club Norwich Road	Installation of a two small scale wind turbines (14.97m to hub, 5.5m diameter blades)
3PL/2012/0537/O	D R Builders	DEREHAM Land Rear of 42-50 Shipdham Road	Residential Development
3PL/2012/0599/CU	Ms W Anderson	HOCKHAM Home Hall Vicarage Road	Change of use of dwelling to Bed & Breakfast
3NM/2012/0040/NMA	Mr D Taylor	HARLING 8, 10 and 12 Spinney Drive (formerly plots 4, 5 & 6 Lopham Road)	Amendment to 2009/1066/F - Reduce building footprint, amend windows & doors, PV panels, raising garage ridge

Split Decision

3PL/2012/0540/A	Lidl Uk GmbH	DEREHAM Lidl Foodstore Kingston Road	2 gable signs & 3 non-illuminated hoardings
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PLANNING COMMITTEE 03 September 2012.
MATTERS FOR INFORMATION

APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL

Reference No.	Applicants Name	Location	Proposal	Decision
3CM/2012/0016/F	Director of Childrens Services, Norfolk County Council	Swaffham CE VC Junior School, Brandon Road	Pre-School building to NW of main school for temporary period of 5 years	Approval with conditions

BRECKLAND COUNCIL – DEVELOPMENT CONTROL DEPARTMENT

ENFORCEMENT ITEMS –06 AUGUST 2012

ATTLEBOROUGH – MR & MRS JONES, LEYS LANE (2008/0190/CAS)

Unauthorised scrap/vehicles taking place on a parcel of agricultural land. Instructions sent to Norfolk County Council 12 June 2008. Enforcement Notice served has until 20 December 2008 to remove all unauthorised storage and 20 April 2008 to re-instate the land. Appeal submitted 14 November 2008. Inquiry held 21 April 2009, existing notice to be withdrawn and new notice to be served to incorporate extra land. Enforcement Notice served has until 24 December 2009 to remove all unauthorised storage and 24 February 2010 to re-instate the land. Appeal submitted 10 September 2009. Appeal dismissed and Enforcement Notice upheld 16 June 2010. Has until 16 October 2010 to comply with the requirements of Step 1 of the Notice, and until 16 December 2010 to comply with the requirements of Step 2 of the Notice. Planning application submitted on 12 November 2010 for the change of use of land for siting of 9 caravans and four touring caravans, replace 3 static and 2 tourers and associated works reference number 3PL/2010/1231/F. Planning application refused by Development Control Committee on 7 March 2011. Planning application submitted for Change of use of land for siting of 6 static caravans & 2 tourers, erection of general purpose building & assoc. work, reference number 3PL/2011/0419/F. Planning permission refused consent 5 December 2011. Site inspection pending. **Site inspection carried out 20 July 2012 remaining two mobile homes to be re-sited in appeal site**

ASHILL, MR G ROSE, OLD GARAGE SITE (2009/0216/CAS)

Unauthorised residential use of mobile home, planning permission for the temporary siting of mobile home refused reference number 3PL/2008/0323/F. New planning application pending. New planning application submitted on 14 October 2009 for the temporary standing of mobile home (retrospective) reference number 3PL/2009/0960/F. Planning permission refused 01 December 2009. Instructions to serve an Enforcement Notice sent to Norfolk County Council 15 January 2010. Enforcement Notice served has until 21 December 2010 to comply. Enforcement Notice withdrawn new planning application pending. Planning application submitted for proposed dwelling reference number 3PL/2011/0232/F. Breckland solicitor is in consultation with Mr Rose's solicitor with a view to submitting an appeal. Appeal submitted 28 December 2011. **Appeal dismissed 19 June 2012**

BILLINGFORD, MR TODD, LAND OFF B1145, NORTH ELMHAM ROAD

Unauthorised works to agricultural land. Stop Notice and Planning Enforcement Notice served 8 June 2010. Stop Notice took effect immediately. Planning Enforcement Notice effective from 12 July 2010, has until 12 December 2010 to comply with steps 3 to 5 of the Notice. Discussions taking place with English Heritage

HARLING, FOREST HOLIDAYS, THORPE WOODLANDS (2010/0231/CAS)

Unauthorised residential caravans being occupied on a permanent basis by site warden and relatives. Instructions to serve an enforcement notice sent to Norfolk County Council on 9 July 2010. Site Meeting pending with solicitor and owner, further legal advice being sought. Legal advice received, report sent to client **PCN pending**

SAHAM TONEY, MR JAY, OTTERWOOD KENNELS (2010/0354/CAS)

Unauthorised residential occupation and standing of mobile home, joinery workshop/paint stripping business and storage of non agricultural items on agricultural land. Instructions to serve an enforcement notice sent to Norfolk County Council on 20 December 2010. Enforcement Notice served has until 28 May 2013 to remove mobile home and caravan, has until 28 November 2012 to comply with remainder **Appeal submitted 8 June 2012**

GARVESTONE, MR & MRS HANNANT, BENSERS FARM (2010/0366)

Unauthorised mobile home situated on agricultural land with the benefit of planning permission. Instructions to serve an enforcement notice sent to nplaw on 22 June 2011. Enforcement Notice served has until 30 August 2012 to comply

WATTON, RICHMOND PARK GOLF CLUB (2011/0013/PAR)

Unauthorised erection of four units of holiday accommodation, planning permission refused on 1 April 2011 for variation of condition 2 on planning permission 3PL/2006/1163/F, alteration to layout, fenestration & external balconies. Instructions to serve enforcement and stop notice sent to nplaw 13 May 2011. Enforcement Notice served on 5 July 2011 has until 8 February 2012 to comply. Site inspection carried out 24 February 2012 external balconies removed

ATTLEBOROUGH, MR MOWSER, UNIT 2, 1 HIGH STREET (2011/0014/CAS)

Unauthorised works carried out to Listed Building consisting of replacement window joinery and the removal of hood mold. Retrospective planning permission refused consent on 2 November 2010 reference number 3PL/2010/0964/LB. Instructions to serve an enforcement notice sent to nplaw on 21 February 2011. Enforcement Notice served has until 13 June 2012 to comply. **Site inspection windows changed**

BANHAM, FIELDVIEW, MR SMITH (2011/0083/CAS)

Unauthorised conversion of dwelling into three separate independent residential units. Instructions to serve an enforcement notice sent to nplaw . Enforcement Notice served has until 16 May 2012 to comply. **Site visit pending**

BANHAM, WESTVIEW, MR SMITH (2011/0085/CAS)

Unauthorised conversion of garage into independent residential unit. Instructions to serve an enforcement notice sent to nplaw. Enforcement Notice served has until 16 January 2012 to comply. Site inspection carried out, **prosecutions instructions sent to nplaw**

THETFORD, MR HAVAL SHOKIR, 11 WHITE HART STREET (2011/0152/CAS)

Unauthorised redecoration and signage to shop front of 11 White Hart Street which is a Grade II Listed Building. Instructions sent to nplaw to serve a listed building enforcement notice. Listed Building Enforcement Notice served has until 04 May 2012 to remove shop signage, security camera and burglar alarm. **Site inspection carried out shop signage removed from window, security and burglar alarm removed**

LYNG, MR WARD, 1 HEATH ROAD (2011/0152/CAS)

Unauthorised timber fence to north/east boundary, retrospective planning permission refused consent on 27 June 2011 reference number 3PL/2011/0359/F. Appeal pending. Appeal submitted on 14 October 2011, received after the time limit Planning Inspectorate unable to take any action. Instructions sent to nplaw to serve enforcement notice 23 January 2012 . Revised planning application pending..**Planning application submitted for the repositioning of fence and new timber gate reference number 3PL/2012/0408/F**

GRISTON, MR LOND-CAULK, THE BARN, (2011/0302/CAS)

Unauthorised link created between house and garage and conversion of garage into a day room. Planning permission refused consent on 3 November 2011 reference number 3PL/2011/0613/F. Letter sent to Mr Lond-Caulk on 11 November 2011. Appeal pending. Appeal submitted. Appeal dismissed 6 March 2012, revised planning application pending

MATTISHALL, MR BLACKMAN, 19 DEREHAM ROAD (2012/0029/CAS)

Unauthorised large shed and small shed sited adjacent to Mattishall post office and general store. Planning permission refused consent 14 September 2011. Appeal submitted and subsequently dismissed on 13 January 2012. Revised planning application submitted. **Planning permission approved for large shed and siting of smaller shed to side**

SPORLE, MR & MRS LAMBERT, 33 THE STREET (2012/0030/CAS)

Unauthorised front porch erected. Instructions sent to nplaw to serve enforcement notice 23 January 2012. Enforcement Notice served 23 March 2012, front porch to be removed by 1 August 2012. **Appeal submitted 11 May 2012, site visit pending**

DEREHAM, MR EGLIN, PENHILL, ETLING GREEN (2012/0055/CAS)

Unauthorised mobile home, decking, sheds and garage, stables, ménage and lighting and parking of additional two lorries. Planning permission refused on 8 December 2011 for the provision of static caravan, double garage, sheds and decking area reference 3PL/2011/0895/F. Planning application submitted for change of use of land for parking provision for additional two lorries reference 3PL/2011/0896/CU, application withdrawn 22 November 2011. Instructions sent to nplaw to serve enforcement notice and planning contravention notice 28 February 2012. Planning Contravention Notice served on 26 March 2012. Enforcement Notice served has until 18 July 2013 to comply

ATTLEBOROUGH, LITTEN PROPERTIES, FLAT 1 QUEENS HOUSE, QUEENS SQUARE, ATTLEBOROUGH (2012/0073/CAS)

Unauthorised use of flat roof balcony contrary to condition 2 on 3PL/2007/1992/F. Client authorisation given to pursue formal enforcement action 30 March 2012. Instructions to serve enforcement notice sent to np Law 10 April 2012.

DEREHAM, MR GUERIN, GALLEYMOOR FARM, NEATHERD MOOR (2012/0103/CAS)

Unauthorised boundary wall. Client authorisation given to pursue formal enforcement action 16 March 2012. Instructions sent to np Law to serve enforcement notice 27 April 2012.

ATTLEBOROUGH, MR JOY, THE CARAVAN, BUNNS BANK (ENF/2012/0113/CAS)

Breach of planning condition relating to removal of caravan on planning permission 3PL/2002/0052/F. Client authorisation given on 12 March 2012 to serve a breach of condition notice. Instructions sent to nplaw to serve breach of condition notice 23 May 2012. **Planning application pending**

NECTON, MR THOMPSON, TOWN FARM, CHANTRY LANE (ENF/2012/0133/CAS)

Unauthorised car sales and workshop. Planning permission refused on 11 April 2012 reference number 3PL/2012/0159/F. Instructions sent to nplaw to serve enforcement notice 25 April 2012. **Planning application submitted for change of use of land for care sales and retention or workshop and portacabin for established business reference number 3PL/2012/0788/F**

NECTON, MR DUGDALE, LAND AT CHAPEL RD (ENF/2012/0156/CAS)

Unauthorised residential mobile home sited on parcel of agricultural land. Planning permission refused on 3 April 2012 for the use of mobile home for residential accommodation (retrospective) ref number 3PL/2012/0200/F. Agent confirmed appeal pending. **Instructions sent to nplaw 06 July 2012**

SHIPDHAM, THE GILBERT STUD, ASH FARM (ENF/2012/0164/CAS)

Unauthorised solar/wind power lights. Planning permission refused on 24 April 2012 for the erection of six solar/wind power external lights ref number 3PL/2011/1423//F. Site inspection carried out four lights removed, planning agent confirmed further application pending for the remaining two lights

ATTLEBOROUGH, CROWS HALL FARM (ENF/2012/0194/CAS)

Unauthorised front fence. Client authorisation given to pursue formal enforcement action 21 May 2012. Instructions sent to nplaw to serve enforcement building enforcement notice 23 May 2012. **Site visit carried out 20 July 2012 fence in process of being removed**

THETFORD, MR RIBERIO, 51 CASTLE STREET (ENF/2012/0204/CAS)

Unauthorised works to listed building, Client authorisation given to pursue formal enforcement action 17 May 2012. Instructions sent to nplaw to serve listed building enforcement notice 23 May 2012

DEREHAM, MR & MRS POWLES, 19 SCHOOL LANE (ENF/2012//0207/CAS)

Unauthorised shed. Client authorisation given to pursue formal enforcement action 23 May 2012. Instructions sent to nplaw to serve enforcement notice 23 May 2012. **Site visit carried out 20 July 2012 owner has agreed to re-site the shed**

HOCKHAM, MS ANDERSON, HOME HALL (ENF/2012/0271/CAS)

Breach of planning condition no 5 imposed on planning permission 3PL/2008/1562/F relating to the closure of existing vehicular access. Instructions so serve breach of condition notice sent to nplaw 27 June 2012. **Norfolk County Council have received payment and will commence works to reinstate the footway on 30 July 2012.**

THETFORD, ASHLEY HOUSE, STEPHENSON WAY (ENF/2012/0236/CAS)

Unauthorised change of use of vacant factory to charity shop. Instructions to serve enforcement notice sent to nplaw 9 July 2012

CASTON, MR LOND-CAULK, BILHAMS COTTAGE (ENF/2012/0285/CAS)

Unauthorised use of residential premises for business use known as Co-Dunkall Limited. Planning Contravention Notice issued 04 May 2012, response received 23 May 2012. Instructions to serve enforcement notice sent to nplaw 11 July 2012. **Enforcement Notice served has until 22 February 2013 to comply**