



AGENDA

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

- Committee** - **PLANNING COMMITTEE**
- Date & Time** - MONDAY, 16 DECEMBER, 2013 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, 5 December 2013

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 25 November 2013.	1 - 12
2. <u>APOLOGIES & SUBSTITUTES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED</u> Members are reminded that under the Code of Conduct they are not to participate and must leave the room, for the whole of an agenda item to which they have a Disclosable Pecuniary Interest. In the interests of transparency, Members may also wish to declare any other interests they have in relation to an agenda item, that support the Nolan principles detailed within the Code of Conduct.	
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.	13
a) <u>DEREHAM: Greenfields Road/Wheatcroft Way: 220 Homes with Associated Landscaping and Infrastructure: Applicant: Mr R Green: Reference: 3PL/2011/0898/O</u> Report of the Director of Commissioning.	14 - 22

9. SCHEDULE OF PLANNING APPLICATIONS

23 - 44

To consider the Schedule of Planning Applications:

<u>Item No</u>	<u>Applicant</u>	<u>Parish</u>	<u>Page No</u>
1	Mr Robin Green	Dereham	24
Agenda Item 8a			(14-22)
2	Greatbrisk Limited	Hockering	25-29
3	Mr A Thorne	Shipdham	30-34
4	Mr & Mrs P Burton	Harling	35-39
5	Mr & Mrs D Maclean	Swaffham	40-44

10. APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

45 - 53

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.

11. APPEAL DECISIONS (FOR INFORMATION)

APP/F2605/A/13/2199227: THETFORD: 8 Mackenzie Road: Appeal against refusal of planning permission for the erection of a dwelling by Mrs. A Jones: Reference: 3PL/2013/0203/F

Decision: Appeal dismissed

Summary: The Inspector considered that the proposal would have an unacceptably harmful effect on the character and appearance of the area and an unacceptable effect on the living conditions of adjoining residents.

APP/F2605/A/13/2198987: GUIST: Duck Cottage, Malthouse Lane: Appeal against refusal of planning permission for the erection of a 2 bedroom house by Mr. S. Bennett: Reference: 3PL/2012/1180/F

Decision: Appeal allowed subject to conditions in respect of materials, boundary treatment, parking and turning

Summary: The Inspector considered that although visibility from Malthouse Lane across Norwich Road is less than ideal, it is not so defective as to cause the junction to be unsafe to a significant degree. The use of the junction of Malthouse Lane with Norwich Road by occupiers of the proposal would not be unacceptably detrimental to highway safety or lead to an unacceptable deterioration in the efficiency of Norwich Road as a traffic carrier. Malthouse Lane is considered adequate to provide satisfactory access

APP/F2605/A/13/2199359: FOXLEY: Land off Mill Road: Appeal against the refusal of outline planning permission for the erection of a

detached single storey dwelling and double garage by Mr. & Mrs. N. Whybrow: Reference: 3PL/2013/0075/O

Decision: Appeal dismissed

Summary: The Inspector considered that the proposal would not be appropriate to its location as it would cause significant harm to the character and appearance of the area and fails to maintain or enhance the vitality of local communities

APP/F2605/A/13/2199360: FOXLEY: Land off Mill Road: Appeal against the refusal of outline planning permission for the erection of a detached single storey dwelling and double garage by Mr. & Mrs. I. Powley: Reference: 3PL/2013/0076/O

Decision: Appeal dismissed

Summary: The Inspector considered that the proposal would not be appropriate to its location as it would cause significant harm to the character and appearance of the area and fails to maintain or enhance the vitality of local communities

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 25 November 2013 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mr M. S. Robinson (Vice-Chairman)
Mr S.G. Bambridge	Mr F.J. Sharpe
Mr T R Carter	Mrs P.A. Spencer
Mr P.D. Claussen	Mr N.C. Wilkin (Chairman)
Mr T.J. Lamb	Mr P.J. Duigan (Substitute Member)
Mrs J A North	

Also Present

Mr S. Askew	Mrs A.L. Steward
Mr K.S. Gilbert	Mr M. A. Wassell
Mrs L.H. Monument	

In Attendance

Viv Bebbington	Senior Development Control Officer
Heather Burlingham	Assistant Development Control Officer*
John Chinnery	Solicitor & Standards Consultant
Paul Jackson	Planning Manager
Helen McAleer	Senior Committee Officer
Martin Pendlebury	Director of Planning & Business Manager *
Chris Raine	Senior Planner*
Paul Took	Interim Senior Planner*

* Capita Symonds for Breckland Council

Action By

110/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 28 October 2013 were confirmed as a correct record and signed by the Chairman.

111/13 APOLOGIES & SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Bowes and W Richmond.

Councillor Duigan was present as Substitute.

112/13 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED (AGENDA ITEM 3)

All Members had received direct representation for the following items:

Schedule Item 2	Watton
Schedule Item 5	Little Dunham
Schedule Item 9	Dereham

113/13 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman welcomed Paul Took to the meeting. He was temporarily working in the Planning Department again.

114/13 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

Schedule Item 4 (Old Buckenham) had been withdrawn and Schedule Item 10 (Thetford) had been deferred from the agenda.

115/13 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Director of Planning & Business Manager gave an update.

Work was continuing on key pieces of evidence to support the Local Plan. The next meeting of the Local Plan Working Group would be held on 3 December 2013 and would consider the Employment Growth Study and the Housing Numbers reports.

The three Transport Studies for Attleborough had been considered by Cabinet and the Local Plan Working Group on 29 October and had been accepted as part of the evidence base for the Local Plan. Further work was needed to assess the costs associated with the Council using its powers of Compulsory Purchase.

Work was also underway on a Local Service Centre topic paper which would re-look at which villages should be local service centres and the potential for housing growth within them.

The Draft Charging Schedule for the Community Infrastructure Levy (CIL) had been reported to Cabinet on 29 October. Just prior to that meeting the Government had released its response to the consultation on changes to the CIL Regulations. New Regulations would be published in January. Cabinet had therefore decided to delay the consultation on the Draft Charging Schedule until after the CIL regulations were published. The delay was likely to set back the introduction of CIL charging to October-December 2014.

Councillor Bambridge asked whether the principles would be changes for the Local Service Centre Review. The Director of Planning & Business Manager advised that all Councillors would be invited to a visioning exercise to be held in the New Year to look at the whole aspect and he expected that to result in a change to the principles.

Councillor Claussen asked if the Council stood to lose any money due to the late introduction of the CIL but he was advised that was not likely.

116/13 DEFERRED APPLICATIONS (AGENDA ITEM 8)

116 .1 COLKIRK: Azure, Market Hill: Minor Material Amendment to 3PL/2011/0747/F in respect of increased height of the dwelling and garage and a Juliet balcony to the front elevation (retrospective): Applicant: Mr and Mrs Cram: Reference: 3PL/2013/0434/F

This application, for an amendment to a dwelling which had been built higher than approved, had been deferred from the Committee meeting on 1 July 2013 for negotiations between the Applicants and the Objector on mitigation measures.

The Applicants had suggested planting bamboo between the fence and wall as it would reach a good height quickly and would screen softly, with movement. Other options had been considered and rejected for various reasons. The neighbour had not been satisfied with their proposal and had suggested the planting of mature pleached hornbeam with a maintenance agreement. The main volume of the trees would be above the fence creating a good screen.

Attention was drawn to a recent amendment adding a Juliet balcony. Officers felt that both the balcony and the proposal to plant bamboo were acceptable.

Mrs Lawrence (Objector) had suggested the pleached hornbeam as it would provide a natural hedge-on-stilts with no risk of root damage. She was even willing to have the trees planted on her side of the fence. Bamboo was non-native, did not fit the rural location and had invasive roots.

Mrs Cram (Applicant) said the application sought approval for the additional 15 inches in height. They were willing to mitigate its appearance but as the fence was less than five feet from the garage it was difficult to plant. Bamboo had been suggested after research. The impact of the extra 15 inches was not adverse. Most of the house was single storey whereas Mrs Lawrence's house was three storeys. If the extra height had been included in the original application it would probably have been accepted.

Councillor Armes was very disappointed. She did not think that bamboo was suitable; it could be noisy and invasive. She favoured the pleached hornbeams. She was also concerned about the sudden addition of the Juliet balcony.

Councillor Spencer agreed and asked where the balcony would be located. The position of the balcony was pointed out. It was also clarified that a Juliet balcony was a safety feature only, providing railings across a window opening to stop people falling out.

Members discussed their powers to impose a condition for the planting of the pleached hornbeams. The Planning Manager advised that it would be

difficult to enforce a condition to plant the trees in the neighbour's garden and might require a legal agreement.

Mrs Cram asked whether the Council would be liable for any damage to the foundations if they enforced such a condition and the Solicitor advised that the Council would not normally be liable for any such damage in connection with a planning permission but said that she should take legal advice.

It was confirmed by several persons present that pleached hornbeam could be planted (if done in the correct manner) without any risk to buildings.

RESOLVED that the application be approved subject to conditions including:

- a) the planting of pleached hornbeam along the length of the garage wall;
- b) details of the planting scheme and future maintenance to be submitted to the Council within two months;
- c) planting of the trees to take place within two months of approval of the planting scheme; and

Members further approved Enforcement Action if the conditions were not complied with.

117/13 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)

RESOLVED that the applications be determined as follows:

- (a) Item 1: DEREHAM: Mill Vue Farm, Badley Moor: Revocation of covenants 5.1, 5.3 & 5.4 on pp 3PL/2006/1067 relating to occupational restriction: Applicant: Mr & Mrs Worledge: Reference: 3OB/2013/0002/OB

This application requested the lifting of restrictions tying the dwelling to the agricultural engineering business. The applicants had not been able to secure a mortgage to build the house due to the legal tie. Although Officers had sympathy with the applicants there was no policy justification to remove the restriction.

Mr Futter (Agent) said the Applicants had been trying to obtain a mortgage since 2008 but due to the restriction they could not find a lender. They were living on site in the caravan which had been given temporary permission. They had lived on the site for 21 years and wanted to build a modest dwelling. It was a successful rural enterprise.

Councillor L Monument (Ward Representative) said that the legal agreement was a blight on the property which would continue to affect whoever owned the site. There was no chance to borrow money. Officers were right about the Policy but she asked

Members to use their prerogative to make an exception.

Councillor Claussen noted that the rules and policies had been drawn up in better times.

The temporary permission for the caravan was clarified by the Planning Manager who advised Members that once that permission expired Enforcement Action could be taken to remove the caravan if necessary. However, if the restriction was lifted and the dwelling built, the caravan could remain as a chattel in the grounds. If economic conditions changed the house could be built. He asked Members to consider whether they would grant permission for an unrestricted dwelling on the site.

The vote was tied and the Chairman used his casting vote to support the recommendation.

Refused, as recommended.

- (b) Item 2: WATTON: Thetford Road: Erection of 110 Dwellings with associated Open Space: Applicant: Hopkins Homes Limited: Reference: 3PL/2013/0510/F

This full application for 110 dwellings would include 25% affordable housing (28 units). The District Valuer had confirmed that 40% was not viable and 25% was acceptable. The supplementary information provided referred to a contribution for bird monitoring and mitigation. That figure had been re-calculated and should be £125,000. If that sum was required the applicant would have to reduce their affordable housing contribution to 22% (25 units).

Mr Denempont (Objector) said that Watton did not have the facilities to accommodate the development. If affordable housing was developed it would attract more people and there were not enough shops, doctors or schools.

Mr Smith (Applicant) said the development had been carefully planned in consultation with officers and key stakeholders. The current scheme would provide affordable and market housing, open space and land for the school.

Councillor Wassell (Ward Representative) had concerns about the development. The four accesses to the site were potential accident spots, there should be a roundabout at Barn Ruche. He was also concerned about the proposal to reduce the number of affordable housing units. Finally he noted it was a very muddy site which often smelt of sewage.

Councillor Gilbert (Ward Representative) thanked the Applicants for their thorough public consultation. However, certain aspects were still not right. He agreed that the access should be off a roundabout at Barn Ruche, if not a right turn lane would be essential. He asked

Members to defer the application for further consideration.

Councillor Spencer thought that a roundabout would help as it was a very dangerous junction.

Councillor North agreed and said that needed to be re-examined. She was concerned that a three storey unit overlooked a bungalow. With regard to the reduction in affordable housing she asked whether there would be any contributions if 28 were retained.

The Planning Manager apologised for the confusion with the figures which was not the Applicant's fault; they had also received late notification. He suggested that affordable housing in this instance was more important than a contribution to protect wildlife but it was up to Members to decide. With regard to the request for a roundabout, he advised that it was not a policy requirement. It was also on land outside the ownership of the Applicants and would have a significant impact on the tree belt and on the affordable housing provision.

Councillor Bambridge was also concerned about the access and hoped some improvements could be made. He suggested that the parking places and some roads on site should have sustainable drainage.

Councillor Sharpe asked if a roundabout would affect the viability of the site and the Agent advised that it would as there would be a substantial cost, besides the issue of them not owning the land. He also confirmed that there was no Highways justification for a roundabout.

Councillor Sharpe asked about a separate access point for emergency vehicles and also requested that the affordable housing element be re-valued and uplifted if necessary when the site was completed. He agreed that social housing should take priority over birds.

Councillor Lamb made the general point that not enough consideration was given to how the new residents would be accommodated without additional infrastructure.

The Chairman suggested that the 30mph zone should be extended and questioned the number of accesses onto the busy road, especially the one that served only three properties.

It was proposed and seconded that the application be deferred for the issues raised to be addressed. It was noted that the three storey dwelling was 20m from the bungalow and should not cause an issue.

Deferred, contrary to the recommendation, for consideration of an extension to the 30mph zone, the number of accesses to be

looked at, particularly the northernmost access; road markings and signage possibly with a right-hand turn lane at the site entrance; and the provision of an emergency access/exit.

- (c) Item 3: THETFORD: Former Railway Depot, Station Yard: Conversion of former train engineering workshop to 4 x 2 bed flats & 2 x 1 bed flats & erect 4 x 2 bed houses: Applicant: Havebury Housing Partnership: Reference: 3PL/2013/0852/F

This application was for 100% affordable housing in a sustainable location.

Mr Wilkie (Agent) said it was an excellent opportunity to bring a derelict site back into use and deliver one and two bedroom affordable housing.

Councillor Armes was very concerned that the requirement for Open Space had been waived as there was nowhere for the occupants to go.

Councillor Lamb said it was the only part of the railway system left in Thetford and if passenger traffic increased there would be no opportunity to extend the railway station as all the land would have been used. There was not enough parking for the station and the site could accommodate that need.

Councillor Spencer asked how residents would be separated from the railway line and the Agent advised that there would be a gateway between the building and the railway line and fencing. The access to the site would be narrowed and surfaced differently to secure residents' parking.

Deferred and the officers authorised to grant approval, subject to conditions, on completion of the section 106 agreement.

- (d) Item 4: OLD BUCKENHAM: Land off Folly Lane: Erection of agricultural livestock building & associated hardstanding & feed bin: Applicant: O P Bunn: Reference: 3PL/2013/0876/F

This item had been withdrawn. See Minute No 114/13 above.

- (e) Item 5: LITTLE DUNHAM: Brick Kiln Pightle, Barrows Hole Lane: Erect 4 Dwellings, create 2 new access points & 2 passing places onto Barrows Hole Lane: Applicant: Susan Wright: Reference: 3PL/2013/0888/F

All Members had received direct representation on this item.

It was clarified that there was no Settlement Boundary for Little Dunham; it had been removed by the LDF process. The main concern was that it was development in the countryside. The location was not sustainable and could not be considered against

the housing land shortfall.

Mr Wright (for Applicant) asked Members to support the small, much needed contribution towards the housing land supply. The Highways objections were inconsistent. The application offered high quality design which could be delivered. The site was between two Service Centres.

Councillor Carter lived near the area. He accepted that small villages were not sustainable. The site was near the A47 and could access other areas for facilities. Villages needed life. Highways had commented on the width of the road but NCC had granted permission for lorries to use the road without limitations.

Councillor Claussen agreed and said 95% of Norfolk was unsustainable. There was a need to put life blood back into villages.

The Planning Manager asked Members to be mindful of policy and to be consistent. If they were minded to approve the application they needed clear reasons why it was acceptable when others had not been.

The recommendation for refusal was not supported.

Deferred, contrary to the recommendation, and the officers authorised to grant approval on completion of the section 106 agreement, on the grounds that Members were mindful of the positive benefits of the scheme relating to specific and directly-related improvements to highways conditions and to the provision of an affordable housing contribution; and were equally mindful of the need to re-visit within the Local Plan process the desire to seek to promote some small-scale, reasonably sited and inherently well-designed housing development in settlements currently lacking defined settlement boundaries within the open countryside; approval being subject to conditions including requiring improvements to the highway network; the provision of passing places; site investigation and archaeological work; and an affordable housing contribution.

- (f) Item 6: BEETLEY: 16 Beech Road: Erection of a single storey upvc/glass conservatory on the side of the house: Applicant: Miss Gillian Rosindell: Reference: 3PL/2013/0902/F

This application was before the Committee as the applicant was a member of staff.

Approved, as recommended.

- (g) Item 7: ICKBURGH: The Old Rectory, Ashburton Road: Residential development of four detached dwellings and garages: Applicant: Mr

Donal McGovern: Reference: 3PL/2013/0908/F

Mr Took left the room whilst this item was discussed.

This application proposed the development of a vacant site, previously used for storage. The scheme itself was acceptable but as there were limited facilities in Ickburgh there would be significant reliance on cars and Officers felt the disadvantages outweighed the advantages.

Mr Gore (Parish Council) said there was overwhelming support for the development. It would remove old buildings used by drug users and dealers. The Applicant had offered to provide passing places. Local facilities were in Mundford which was only one mile away.

Mr Hendry (Agent) advised Members that the site had permission for commercial use which could be intensified. Breckland needed houses and the brownfield site could be brought forward quickly and would support local facilities. It would have negligible impact on ecology and would reduce hardstanding by 85%. A habitat buffer would be provided increasing the bio-diversity of the site. A Unilateral Undertaking would provide contributions for affordable housing, open space and passing places.

Councillor Steward (Ward Representative) said the Local Development Framework (LDF) had looked for windfall sites such as this. It would provide executive housing for people employed in the area. The site had been advertised for employment for two years. All procedures had been followed. Local people wanted the site developed.

Councillor Lamb noted that people in villages also wanted commercial opportunities and the site could enhance work opportunities in the village. If houses were built it would increase traffic in the countryside.

Councillor Bambridge disagreed and thought it should be treated as an exception site. He asked how the buffer zone would be accessed for management and the Agent advised that the applicant owned adjacent land and could make the access wider if necessary and also provide access to the rear.

Refused, as recommended.

Mr Took returned to the room.

- (h) Item 8: BANHAM: Rear of 59 Crown Street, off Greyhound Lane: Residential development (3 dwellings): Applicant: Mr & Mrs Barry Pardue: Reference: 3PL/2013/0940/O

This proposal was not for 100% affordable housing and would result in a cramped form of development outside the settlement

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boundary. Officers felt it would have limited effect on the five year housing land supply deficit. There were also Highways objections.

Mr Evans (Agent) thought that if all such sites were permitted it would impact the housing land shortfall. The proposal was similar to the adjacent site which had received approval. There was scope to amend the layout and parking provision. The access complied with visibility requirements and the adjacent application included a footpath. The site would provide much needed low cost housing.

Councillor Askew (Ward Representative) said Banham was a large village with good amenities. It was a logical site for modest development which the Parish Council were keen to have included within the boundary. He was confident that resident's concerns could be addressed at Reserved Matters stage. The Parish wanted the development and it would contribute to the housing land shortfall.

It was clarified that some market housing could be acceptable if a viability case was made to cross fund the affordable housing.

Members were shown photographs of the existing footpath on the opposite side of the road, which did not extend to the junction. There was no guarantee that the proposed footpath with the adjacent site would be developed.

Councillor Duigan was concerned that public perception would be that the Council favoured large developments and smaller developments were discriminated against because they did not address the housing land shortfall.

The Planning Manager agreed about gradually addressing the shortfall through smaller sites, but said that the consequence of allowing ad-hoc development meant poor layout. If the two sites could be developed together it would provide a better form of development.

Councillor Lamb said that if the Parish had wanted the whole area to be included within the boundary a small part should not be granted permission in isolation.

Refused, as recommended.

- (i) Item 9: DEREHAM: Old Hall Nurseries, Dumpling Green: Erection of two 3 bedroomed detached houses with garages: Applicant: Reads Nurseries: Reference: 3PL/2013/0945/F

All Members had received direct representation on this item.

Additional information had been supplied in the Agenda Supplement. A letter from Mr Goreham, Ward Representative was read out. He supported the application saying that the application

site was sizeable and the proposal was not intrusive or unpleasant.

Officers felt that the scheme made very little contribution to the housing land deficit and were concerned that approval would set a precedent.

Mr Cannell (Objector) lived opposite and showed photographs of the access road which was a farm track which he said could not sustain further development. If permission was granted he feared that other residents would follow suit. It was a unique, rural part of Dereham outside the Settlement Boundary, which he did not want to be lost.

Mr Mathews (Agent) said that the Applicant's family had owned the Nursery for 100 years. They had spent time and money maintaining the track. The proposed houses were in keeping with the area and would maintain neighbour's privacy. No other applications discussed had been refused because of setting a precedent. Each application should be considered on its own merits. The site was available, suitable and achievable and was therefore appropriate in light of the housing land shortfall.

Mrs Edwards (objector) had had to leave before the item was discussed. The Solicitor believed her main objection had been about land ownership

Councillor Carter noted that the development would make a contribution to the shortfall but Councillor Lamb noted that the main issue was that the site was outside the Settlement Boundary.

Refused, as recommended.

- (j) Item 10: THETFORD: Tesco, Kilverstone Lane: Extension of time limit on pp 3PL/2009/0973/F – extension to foodstore, car park & associated works: Applicant: Tesco Stores Ltd: Reference: 3TL/2013/0013/TL

This item had been deferred from the Agenda. See Minute No 114/13 above.

Notes to the Schedule

Item No	Speaker
1	Cllr L Monument – Ward Representative Mr Futter - Agent
2	Cllr Gilbert – Ward Representative Cllr Wassell – Ward Representative Mr R Denempont – Objector Mr C Smith - Applicant
3	Mr Wilkie - Agent
5	Mr Wright – for Applicant
7	Cllr Steward – Ward Representative Mr Gore – Parish Council

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	Mr Hendry - Agent
8	Cllr Askew – Ward Representative Mr Pardue – Applicant Mr Evans - Agent
9	Mrs Edwards – Objector Mr Cannell – Objector Mr Mathews – Agent Mr Read - Applicant
Deferred Item 8a	Mrs Lawrence – Objector Mr & Mrs Cram - Applicants

Written Representations Taken Into Account

Reference No	No of Representations
3PL/2013/0510/F	32
3PL/2013/0908/F	8
3PL/2013/0940/O	6
3PL/2013/0945/F	17
3PL/2013/0888/F	10
3TL/2013/0013/TL	3
3PL/2013/0434/F	2

118/13 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING (AGENDA ITEM 10)

Noted.

119/13 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (AGENDA ITEM 11)

Noted.

120/13 APPEAL DECISIONS (AGENDA ITEM 12)

Noted.

The meeting closed at 1.35 pm

CHAIRMAN

BRECKLAND COUNCIL

PLANNING COMMITTEE – 16 DECEMBER 2013
SCHEDULE OF DEFERRED APPLICATIONS

REFERENCE AND DETAILS OF APPLICATIONS	MEETING FIRST REPORTED TO	DEVELOPMENT SERVICES MANAGER'S RECOMMENDATION	REASON FOR DEFERMENT
3OB/2012/0004/OB: Watton: 119 Norwich Road: Revocation of Section 106 on pp 3PL/2009/1084/F	01/07/2013	Approval	For negotiation of variation terms.
3PL/2013/0510/F: Watton: Thetford Road: Erection of 110 Dwellings with associated Open Space	25/11/2013	Approval	For consideration of an extension to the 30mph zone, the number of accesses to be looked at, particularly the northernmost access; road markings and signage possibly with a right-hand turn lane at the site entrance; and the provision of an emergency access/exit

BRECKLAND COUNCIL

PLANNING COMMITTEE - 16th DECEMBER 2013

REPORT OF THE DIRECTOR OF COMMISSIONING
(Author: Chris Raine, Principal Planner)

**DEREHAM: 220 HOMES WITH ASSOCIATED LANDSCAPING AND
INFRASTRUCTURE AT GREENFIELDS ROAD/WHEATCROFT WAY,
DEREHAM**

Applicant: Mr R Green

Reference: 3PL/2011/0898/O

DEFERRED ITEM REPORT

At the Planning Committee on the 31st October 2011 Members agreed to defer the application, and, subject to satisfactory conclusion of discussion with the Highway Authority, officers grant approval subject to conditions and a S106 agreement. (See previous report attached)

Firstly, since this resolution was made, the Site Specific Policies & Proposals Development Plan Document has been formally adopted which includes the site within the Settlement Boundary for Dereham and allocates the site for housing under Policy D2. The current outline proposal is consistent with the aims of this document including this particular policy.

Secondly, officers have been made aware that the previously indicated affordable housing contribution (40% as sought in accordance with Policy DC11 of the Adopted Breckland Core Strategy) is not viable and that the scheme can only support a figure of 15%; this conclusion having been supported by the submission of a full viability appraisal by the applicant. Consequently, the appraisal has been assessed and verified by the District Valuer who has confirmed that the conclusions are correct. On this basis, it is considered that the contribution is acceptable.

Conclusion

It is considered that the revised affordable housing contribution is acceptable in this instance and the Planning Committee is invited again to approve the application subject to the finalisation of the associated S106 legal agreement and relevant conditions.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 31-10-2011

ITEM	9	RECOMMENDATION : APPROVAL
REF NO:	3PL/2011/0898/O	CASE OFFICER: Chris Raine
LOCATION:	DEREHAM Greenfields Road/Wheatcroft Way	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr Robin Green Church Farmhouse Bawburgh	
AGENT:	Lucas Hickman Smith 21 Town Green Wymondham	
PROPOSAL:	Construction of 220 homes with associated landscaping and infrastructure	

KEY ISSUES

Principle of development
Impact upon residential amenity
Impact upon the character and appearance of the locality
Highway safety
Archaeology
Trees and ecology
Affordable housing

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for 220 dwellings and associated road infrastructure on land at Greenfields Road/Wheatcroft Way. The application seeks to deal with "scale" and "access", with all other matters reserved.

SITE AND LOCATION

The application site consists of a large parcel of agricultural land on the edge of Dereham located between the A47 dual carriageway to the south and east of the site and residential development to the north and west (Fern Close, Rowan Drive, Greenfields Road and Wheatcroft Way).

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following National Planning Guidance and the Breckland Adopted Core Strategy and Development Control Policies have been taken into consideration in the determination of this application:

PPS01	Delivering Sustainable Development
PPS03	Housing
PPS25	Development and Flood Risk
CP.01	Housing
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design

CONSULTATIONS

DEREHAM T C -

Councillors raised concerns about the link road from Wheatcroft Way and suggested that consideration be given to whether it is to be a through road for all traffic, emergency vehicles only or have some form of traffic calming measures to prevent speeding.

In the centre of the development is a big tree with a large house next to it. Councillors suggested the house should be resited further away from the tree. The mature tree needs to be protected and could form a central feature to a public open space.

Councillors thought that it was unclear from the submitted plans which were social houses.

Councillors were also of the opinion that the proposed play area was too isolated and needed to be more in the centre of the development to prevent it becoming a target for vandals and drug abusers. The play area needs to be overlooked by houses to prevent anti-social behaviour.

Councillors recommended that roofs be south facing to allow for the installation of solar panels.

Councillors questioned why there are 220 houses proposed for this site - they had understood there would be three developments of 200 houses each.

Councillors would appreciate information on who is to maintain the open areas on the site.

Councillors pointed out that there are a number of small pedestrian tracks, which are not overlooked and could become problem sites for anti-social behaviour. The tracks could be used as escape routes down which police cars couldn't patrol, thus making the site impossible to police properly.

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ENVIRONMENT AGENCY

We have no objection to the proposed development, subject to conditions being appended to any subsequent planning permission relating to foul and surface water drainage.

HIGHWAYS AGENCY

No objection

NORFOLK LANDSCAPE ARCHAEOLOGY

The archaeological desk-based assessment submitted with the planning application has identified that there is some potential for the proposed development site to contain heritage assets with archaeological interest. This potential is stated as being low for the prehistoric and Saxon periods, negligible for the Roman period and medium for the medieval to post medieval period. However, the absence of recorded heritage assets with archaeological interest (both sites and findspots) within and around the proposed development site is likely to result from a lack of previous archaeological investigations in this area rather than a genuine absence of potential for these heritage assets to be present. Consequently the proposed development site represents a large area (12.78ha) with uncertain potential to contain heritage assets with archaeological interest (buried archaeological remains). In view of this we consider that the desk-based assessment alone is not sufficient to enable the archaeological significance of the site and the potential impact of the proposed development on the historic environment to be determined. An archaeological evaluation in accordance with Planning Policy Statement 5: Planning for the Historic Environment (2010) Policy HE6.1 should be provided. Norfolk County Council Historic Environment Service will provide a brief for the archaeological work on request.

NORFOLK WILDLIFE TRUST

We have no objection in principle to this application with regard to impacts on biodiversity. In terms of green infrastructure, we recommend that reference is made to the Dereham Green Infrastructure Study, ELP, 2008, which makes recommendations with reference to this area of the town on page 56. These recommendations refer principally to retention of Cherry Lane and the land to the north of the lane as GI. If it is decided to allow housing as proposed in the application on part of this area consideration should be given to enhancing the width of the cherry Lane corridor through this part of the development.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

I do not wish to formally object to the proposals at this time, however, there are real opportunities to Design out Crime and/or the Fear of Crime and to promote Community Safety. Therefore, should these proposals gain approval I request that the following informative be placed upon said approval;

The applicants should aim to Achieve Secured By Design (SBD) Award Status for the development. SBD is an ACPO owned initiative aimed at providing a minimum set of standards in crime prevention for the built environment. The scheme has a proven track record in crime prevention and reduction. The principles and standards of the initiative give excellent guidance on Crime Prevention Through Environmental Design (CPTED) and also on physical security measures. Details can be found at www.securedbydesign.com

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Section 106

In light of the anticipated impact that a development of this nature would in any case have on Policing, Norfolk Constabulary will be considering an application for s106 funding.

NORFOLK COUNTY COUNCIL - HIGHWAYS

No objection in principle. However, there is a holding objection until such time as issues relating to a repayment scheme associated with the travel plan and the submission of a plan relating to amendments to an association road junction and possible introduction of MOVA traffic control systems have been resolved.

ANGLIAN WATER SERVICE

No objection subject to conditions relating to the need to agree foul and surface water drainage systems.

HISTORIC BUILDINGS OFFICER

No comment.

TREE & COUNTRYSIDE OFFICER

The report by Aurum Ecology dated 01.08.11 is broadly accepted. Reserved matters will be expected to include details to support policy CP10 "Through the promotion of positive action and the development control process, the enhancement of biodiversity and geodiversity will be sought. There is an expectation that development will incorporate biodiversity or geological features where opportunities exist. Development that fails to exploit opportunities to incorporate available biodiversity and geological features will not be considered appropriate".

Tree T5 of Nicholas Newton's Tree Survey (TPO 2008 No.37, T7) is a key tree and must be given a sustainable location in the final layout. Either the tree should be at the end of several gardens away from the associated dwellings yet still visible and appreciable by the public at large or it should be the focus of a public open space and given a protective zone of chip or bark mulch over its entire Root Protection Area (this detail applies to the other mature trees on the periphery as well).

ENVIRONMENTAL PLANNING

This outline application proposes the erection of 220 dwellings on land between Greenfields Road and the A47, immediately south of Dereham Windmill. The site is currently outside of the settlement boundary for Dereham as defined on the adopted Proposals Map, however, the site has been identified for a positive allocation for 220 dwellings through the Site Specific Policies and Proposals Development Plan Document. As this document has been submitted, weight can be attributed to the proposed allocation. However, whilst the Local Authority can consider application for housing favourably in line with the policies set out in Paragraphs 71 and 69 of Planning Policy Statement 3, it is unclear whether this application has been made under auspices of Paragraph 69 of PPS3, due to the lack of a 5 year housing land supply. The

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application is outline stage only and The Council's 5 year land supply statement indicates that where applications are coming forward early under the PPS3 provisions, these should be in detail.

The Sites Specifics DPD was subject to a examination in public in July (Inspectors Report is expected in October) and therefore the application should be considered against its conformity to policies contained within the adopted Core Strategy, but also the emerging criteria as set out in Policy D2 of the Site Specific Policies and Proposals document.

In terms of conformity with the principle of, and criterions a-d of Policy D2 "Land off Green Fields Road", the application provides evidence for a vehicular link between Greenfields Road and Wheatcroft Way. Upon satisfactory comments from NCC Highways, this requirement can be secured through a suitable condition. The application contains evidence of noise attenuation measures proposing an earth bund to the boundary of the site adjacent to the A47. It is expected that colleagues from Environmental Health may have further comments to make in this regard; however, a suitable condition could be imposed to secure this element of design.

The proposal appears to include 1.32 ha of open space provision of which Policy D2 expects. This is to include on-site requirement of 2 LEAPS and an area for outdoor sports. Whilst the application proposes an equipped play area at the eastern corner of the site, a "landscape integrated play area" is proposed on the slope up to the footbridge. Whilst the latter may be acceptable upon provision of further details of what constitutes a "landscape integrated play area", it must be noted that this is outside of the NPFA standard and that Dereham has an overall shortfall of children's play provision. Furthermore, Policy D2 requires the provision of an area for outdoor sports, which is not referenced within the design and access statement or indicative site design. In accordance with Policy DC11 of the adopted Core Strategy, proposals should provide evidence as to lack of appropriate on-site contributions, and a commitment to providing off-site contributions. Neither of these has been provided within the application.

The application is accompanied by a Flood Risk Assessment (FRA) confirming that the area in question is located within the area at least risk of flooding. The FRA confirms that appropriate attenuation methods will be provided within the new drainage system to ensure that proposals do not result in an increased risk of on-site or off-site surface water flooding. However, the design and access statement states that detailed negotiations are currently taking place with Anglian Water in respect of foul sewerage solutions, and whilst a solution has been provided in the form of pumping waste to the treatment works at Mattishall, (the agreed approach for Taylor Wimpey's development of 200 new homes north of Norwich Road), this has not been confirmed within this application. Therefore, I would expect to see further detail in this regard if the site is to be considered in advance of the adoption of the Site Specific Policies and Proposals document.

The design and access statement states that affordable homes will be provided at a rate and mix to be agreed with Breckland Council. If the applicant does not wish to comply with the Council's policy, then an "open book" approach should be pursued and an independent assessor considered. Therefore, at present, the proposal may be contrary to Policy DC4 although confirmation of the 40% provision would remove this concern.

The proposal will be expected to provide 10% of the energy used to come from decentralised and renewable sources as required by Policy DC14 of the adopted Core Strategy DPD. As this is an outline application, it is expected that this requirement can reasonably be secured through a suitable condition.

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Conclusions:

Whilst considerable weight can be attached to Policy D2, the document has yet to be adopted and therefore is still subject to providing a statement of how the proposal meets the requirements of Paragraph 69 of PPS3. As this is an outline application, there are no details included other than indicative parameter plans which raises concerns in respect of deliverability within expected timescales. The application should illustrate a good mix of housing to determine conformity with Policy DC4 of the adopted Core Strategy in advance of the Site Specifics. Furthermore, concerns are raised in respect of open space provision detailed within DC11 and Policy D2 in terms of outdoor sports provision, and the lack of confirmation as to the capacity at the Dereham waste water treatment works or an alternative solution.

Therefore, whilst the general principle of residential development is accepted in this location, there are a number of issues that lack detail which need to be resolved. It should be reminded that this is technically still an early application until the Site Specifics is adopted later in the year.

HOUSING ENABLING OFFICER

There is a considerable identified need for affordable housing in Dereham of various mixes, types and tenures. If the principle of development is established on this site then under core strategy policy DC4 40% of the dwellings will be required to be provided as affordable housing which equates to 88nr. Dwellings.

The strategic housing team support the outline application and the applicant's comment that the affordable housing will be provided at a rate and mix agreed with the Council. Brief correspondence has been received from the applicant's representatives requesting a mix of dwelling for the site. Further discussions will be expected in formulating a mix of dwellings that match the needs of Dereham. We would also expect discussions regarding the design and layout of the affordable dwellings in order to ensure that clusters of affordable units are of a size of no more than 10 and well integrated into the scheme. All affordable units must be constructed to at least the minimum level of the HCA design standards and be provided free from any public subsidy.

CONTAMINATED LAND OFFICER

Based on the consultants report there is the potential for contamination to be present. Therefore, requests conditions and an informative

COMMUNITY DEVELOPMENT OFFICER

At this stage I would like to suggest that the developer be obligated to consider the green space and recreation needs of those in the new development and houses already built in the area. Consultation with the Town Council and taking into consideration any previous local consultation on recreation needs would be important. I think that there may be a need for some substantial play equipment/facilities in the area and that would need further investigation/consultation.

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ECONOMIC AND STRATEGY OFFICER - No Comments Received

STREETSCENE - No Comments Received

ENVIRONMENTAL HEALTH OFFICERS - No Comments Received

REPRESENTATIONS

A number of representations have been received. The following is a summary of these representations:

Loss of good farm land; concern at increased traffic flows and associated noise; pollution and congestion; is there sufficient drainage available; should be building on brownfield sites; anti-social behaviour from play areas; detrimental to neighbour amenity and too many dwellings for the town.

ASSESSMENT NOTES

- * The application is referred to the Planning Committee as it is a major application.
- * The site is located outside of the Settlement Boundary for Dereham, however, it has been identified for a housing allocation for 220 dwellings through the Core Strategy. It is considered that weight can be attributed to this.
- * In terms of highway safety, the Highway Agency has confirmed that it has no objection to the proposal in terms of its impact upon the adjacent A47. Norfolk County Council as Highway Authority has confirmed that it has no objection in principle, however, issues relating to a repayment scheme associated with the travel plan, the submission of a plan relating to amendments at an associated road junction and the possible introduction of a MOVA installation (electronic traffic control system) need to be resolved before any permission is granted. These are to be dealt through requisite conditions and a legal agreement.
- * In terms of open space, as "layout" does not form part of this application, it is not possible to comment in detail on this matter. However, the requisite legal agreement attached to any subsequent approval would include the need to provide a sufficient amount of open space to comply with Policy DC11. It is evident that the adjacent windmill represents an important feature within the locality and any subsequent layout should integrate the open space with this feature as effectively as possible. The application reflects this and this desire will be emphasised within the approval through a condition. The Environmental Planning Officer has expressed a need for the layout to include an area for outdoor sports as it has not been referenced within the submission, unless there are strong reasons for not doing so. This matter is being discussed with the applicant and the results of discussions will be reported verbally to Committee.
- * Policy DC14 requires all applications for 10 or more residential units to supply at least 10% of the energy they require through on-site and/or decentralised renewable sources. A planning condition would achieve this. It should also be noted that it would be possible, as part of any subsequent detailed reserved matters scheme, to address this, for example, through the use of solar panels etc.
- * Drainage matters have been considered by the Environment Agency and Anglian Water. Anglian Water has confirmed that foul water will be taken to Mattishall STW which at present has available capacity. On this basis it is acceptable to use planning conditions to secure the delivery of an acceptable foul water drainage system. With regard to surface water drainage, Anglian Water has confirmed that the submitted surface water strategy is unacceptable, however, they consider it appropriate to agree an alternative means via a suitably worded planning condition. The Environment Agency has confirmed that it has no objection subject to conditions.
- * Norfolk Landscape Archaeology has confirmed that, whilst it acknowledges the initial

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assessment of archaeology at the site, there is a need to undertake further work on this matter. This has been requested by the Local Planning Authority and the results of discussion will be reported verbally.

* The Housing Enabling Officer has confirmed support for the scheme with regard to affordable housing provision. A legal agreement will secure that this is provided.

* The Tree and Countryside Officer has assessed the submitted ecology report and accepts its findings. Any subsequent reserved matters application should provide for biodiversity and geodiversity enhancements. Norfolk Wildlife Trust has also confirmed that they have no objection. With regard to the impact on trees, the accompanying tree report identifies the importance of a TPO tree. The Tree and Countryside Officer stresses that any subsequent reserved matters scheme must reflect this important feature.

* Norfolk Constabulary do not object to the proposal given it is in outline form with layout reserved for consideration. They stress the need to aim to achieve "Secured by Design" status.

* Whilst the application does not seek to deal with "layout" or "appearance" as part of this application, an indicative layout has been submitted. It is considered that this adequately demonstrates that the site can accommodate 220 dwellings whilst having adequate regard for the adjacent residential development.

* Given the close proximity of the A47, it is necessary to assess the noise implication for the development. The applicant has submitted a noise survey which makes provision for mitigation measures, namely the creation of an earth bund. This is consistent with the approach taken on the adjacent residential development.

* With regard to neighbour amenity, the application does not seek to deal with "layout" or "appearance", however, an indicative layout has been submitted. It is considered that this adequately demonstrates that the site could accommodate 220 dwellings without leading to any significant overlooking, loss of outlook or light levels. Furthermore, it is considered that a residential development of this scale would not cause undue disturbance in terms of vehicle movements.

* In conclusion, it is recommended that the Planning Committee give delegated authority to approve the application subject to the resolution of the aforementioned highway and archaeological issues.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

3994 Conditions and legal agreement tbc

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Item No.	Applicant	Parish	Reference No.
1	Mr Robin Green	DEREHAM	3PL/2011/0898/O
2	Greatbrisk Limited	HOCKERING	3PL/2013/0821/O
3	Mr A Thorne	SHIPDHAM	3PL/2013/0947/F
4	Mr and Mrs. P. Burton	HARLING	3PL/2013/1006/F
5	Mr & Mrs D Maclean	SWAFFHAM	3PL/2013/1015/F

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

ITEM	1	REPORT RECOMMENDING APPROVAL
REF NO:	3PL/2011/0898/O	CASE OFFICER: Chris Raine
LOCATION:	DEREHAM Greenfields Road/Wheatcroft Way	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr Robin Green Church Farmhouse Bawburgh	
AGENT:	Lucas Hickman Smith 21 Town Green Wymondham	
PROPOSAL:	Construction of 220 homes with associated landscaping and infrastructure	

RECOMMENDATION **Outline Planning Permission**

See Agenda Item 8a - Pages 14 - 22

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ITEM	2	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0821/O	CASE OFFICER: Chris Raine
LOCATION:	HOCKERING Land off Heath Road	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Greatbrisk Limited c/o agent	
AGENT:	RGP Ltd 130 New Walk Leicester	
PROPOSAL:	Residential development (up to 18 dwellings)	

KEY ISSUES

Principle of development
Highway safety
Impact on character and appearance of the area

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for a residential development up to 18 dwellings with all matters reserved. An indicative layout plan has been submitted which provides for 18 dwellings accessed via a single access onto Heath Road. The application form indicates that 7 of the 18 dwellings would be affordable units, this equates to 39% of the total.

SITE AND LOCATION

The site lies on the edge of the village of Hockering, outside the Settlement Boundary, and is presently agricultural land. The site lies to the east of the Heath Road carriageway with existing residential dwellings to the north, east and south-east. To the south-west is an area of vacant land. The site boundaries are made up of predominantly mature vegetation.

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.14	Energy Efficiency
DC.16	Design
NPPF	With particular regard to para. 49.

CIL / OBLIGATIONS

A legal agreement would be required to secure affordable housing and open space provision.

CONSULTATIONS

HOCKERING P C -

Hockering Parish Council is unanimously opposed to this application.

It is outside the village guidelines and its viability must be called into question. Hockering village already has an imbalance in the number of low-cost houses, as opposed to properties that could support and help the school, bus service, village shop and pub. The percentage of low-cost housing here is higher than in most neighbouring villages of similar size (this application requires 40%). The community mix will be seriously imbalanced.

There are also flooding areas in this part of the village - as will be recalled by the Planning Department when The Glebe was constructed (there were drainage problems in building this development). The village and those who live in The Glebe would consider further building to be to the detriment of existing residents.

The site entrance/exit leads straight onto a road calming area. Heath Road is a dangerous road - as witnessed by the serious accident which took place on Friday 1 November when an HGV drove straight into three cars parked at the side of the road. This development will mean an increase in traffic and potential parking issues. It is a potentially dangerous proposition.

The village is strongly opposed to the application.

NORFOLK COUNTY COUNCIL HIGHWAYS

Whilst I have no objection in principle to residential development of this scale, until the following issues are addressed the County Council would wish to raise a holding highways objection to this application.

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1. Due to the volume of HGV traffic on Heath Road and its prime function being the movement of traffic, visibility splays in accordance with Manual for Streets would not be appropriate in this instance. Therefore, unless evidence is provided to the contrary I would require visibility splays from the site access measuring 2.4 x 90m in both directions.
2. Further residential development on the east side of Heath Road must be provided with a continuous footpath on this side of the carriageway that links with existing provision to the south.

TREE & COUNTRYSIDE CONSULTANT

The indicative layout fills the site to the extent that the rural character of the hedgerows would be effectively lost. As this proposal is not a settlement core development, a lower density of housing would be more sympathetic to the agrarian landscape character.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Observations on meeting Secured By Design status.

HOUSING ENABLING OFFICER

No objection.

Hockering and the surrounding areas has an identified need for affordable housing.

Sites located outside of the development boundary should be solely for affordable dwellings to meet an identified local need. However, if the 5-year land supply argument is accepted then 40% of the proposed dwellings should be provided as affordable, preferably of a mix of 70% rented and 30% intermediate housing.

Hockering would benefit from a mix of smaller affordable dwellings and a small number of larger family-sized accommodation.

We expect the affordable dwellings to be designed and built to at least the minimum Homes and Communities Agency design standards (Housing Quality indicators) and to be built to at least code level 3. The method of delivery of the affordable dwellings shall need to be agreed with the Council, but we will expect to see further information to indicate how the affordable dwellings shall be delivered for eligible persons in perpetuity.

CONTAMINATED LAND OFFICER

No objections subject to conditions and an informative.

NATURAL ENGLAND

No objection.

ANGLIAN WATER SERVICE

No objection subject to a condition.

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REPRESENTATIONS

Objections have been received, a summary of which is as follows:

Detrimental to neighbour amenity; flood and drainage concerns; disproportionate amount of social housing and 2 bed units; too large; the site is outside of the settlement boundary; access and highway related concerns; the site is on an HGV route; increased noise and light pollution and infrastructure capacity issues.

One letter was received which highlighted that they had no objection in principle to residential development on the site.

ASSESSMENT NOTES

* The application is referred to the Planning Committee as it is a major application where there has been strong interest from local parties including the Parish Council.

Principle of Development

* The site is outside of the Settlement Boundary for Hockering and, as such, there is a general presumption against new residential development unless there are special circumstances eg agricultural worker's dwelling in accordance with Policies SS1 and DC2 of the Breckland Core Strategy and the National Planning Policy Framework (NPPF). Notwithstanding this, it is evident that the District does not benefit from having a 5 year supply of housing land and the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are not within defined Settlement Boundaries. This must be balanced against other policy requirements and aims eg securing sustainable development, protecting the countryside, good design etc.

Highway Safety

* The Highway Authority has confirmed that while they have no objection in principle, they have concerns with regard to the ability of the applicant to provide suitable visibility splays, which in this instance need to be 2.4m x 90m given the fact that Heath Road is an HGV route and as such carries significant volumes of traffic.

* Furthermore, they have also highlighted the need to provide a continuous footpath along the site frontage adjacent to Heath Road so as to link into the existing footpath provision to the south.

Impact upon the character and appearance of the area

* Whilst all matters are reserved, it is evident from the indicative plan that providing 18 dwellings on this site would create an overly dense development for this edge of village location which is characterised by a lower density and more loose knit arrangement.

* The requirements of the Highway Authority to increase visibility splays from the site access, given that Heath Road is an HGV route, and the creation of a footpath along the site frontage onto Heath Road, would necessitate the removal of the vegetation along the site frontage. This significant boundary treatment represents an attractive and prominent feature within the streetscene and as such there is concern at the significant impact its loss would have. In the event it was agreed that this could be lost to meet the Highway Authority's requirements, it would be necessary for any future detailed layout to create a stronger presence fronting onto Heath Road, which reinforces the inability of the site to provide for 18 dwellings whilst respecting the character and appearance of the locality.

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Other issues

* The application does not seek to deal with any matters at this time and, as such, it is not possible to assess the precise impact on neighbour amenity, design, drainage etc. However, in respect of drainage, Anglian Water has requested a condition requiring details of a surface water management strategy should planning permission be granted to prevent environmental and amenity problems arising from flooding.

* The applicant proposes to provide 7 of the 18 dwellings as "affordable" units (39%). This is considered satisfactory in light of the policy requirements of Policy DC4 of the Breckland Core Strategy. This would necessitate a legal agreement which the applicant is agreeable to.

* Likewise, open space contributions would also be secured through a legal agreement in accordance with Policy DC11 of the Breckland Core Strategy.

Conclusion

* In conclusion, notwithstanding the lack of a 5 year housing land supply within the District, the application has failed to demonstrate that the site can accommodate the level of development proposed and fails to satisfy the requirements of the Highway Authority. On this basis the application is recommended for refusal.

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

9900 Outside settlement boundary

9900 Failure to have adequate regard for its surroundings

9900 Highway safety concerns

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0947/F	CASE OFFICER: Heather Burlingham
LOCATION:	SHIPDHAM Ash Farm King Row	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr A Thorne Ash Farm King Row	
AGENT:	ADM Architectural Flint Cottage Shropham Road	
PROPOSAL:	Erection of hay storage barn	

KEY ISSUES

Principle of development
Scale, design and materials appropriate to use and rural location
Impact on wider landscape
Impact on amenity
Control over future uses in the interests of amenity and highway safety

DESCRIPTION OF DEVELOPMENT

The application relates to the erection of an agricultural building for the storage of hay. The building measures 48m x 26m to a maximum height of 10m with eaves at 6.6m. To a height of 3.2m the sides are open with Yorkshire boarding above to the eaves. A 5m high doorway provides access to the building for large vehicles. The gables are finished in natural grey fibre cement cladding. The roof is fibre cement profiled sheeting in grey.

SITE AND LOCATION

The site is part of a wider holding known as Ash Farm or Gilbert Stud set in a rural location, part of an area of sporadic residential development off the main Watton Road some distance outside the village of Shipdham. The site has been established for equine uses for a number of years. The holding is said to extend to some 40 acres, part of which produces over 250 large bales of hay each year. The wider site includes two dwellings, holiday accommodation, a ménage, a stable block with worker's accommodation, a horse exerciser and tractor shed with associated paddocks. (See history of site).

The building is proposed to be sited beyond existing dwellings and buildings, north east of King Row and accessed from a separate access to the south of the residential access. The northern

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boundary benefits from recent planting which provides some screening to the site from the Watton Road. Agricultural land lies to the north and south of Ash Farm.
The nearest dwellings to the site are at Corner Farm to the north west of Ash Farm.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2008/1276 - U shaped stable complex comprising 10 stables, hay barn, feed room & tack room - Approved
3PL/2009/0444 - New cottage style replacement dwelling - Approved
3PL/2010/0100 - Extension to farmhouse, replacement garage, tractor shed and workshop - approved
3PL/2011/1108 - Two new holiday homes - Approved subject to condition limiting occupation to holiday accommodation only
3PL/2011/1304 - Extension to stable block (retrospective) - Approved
3PL/2011/1305 - Conversion of redundant barns to provide 4 equine accommodation units - Approved subject to condition requiring it to remain as holiday accommodation in connection with Gilbert Stud
3PL/2011/1306 - change of use of tackroom to self contained grooms quarters within existing garage block - Approved subject to condition requiring it to be occupied in connection with the Gilbert Stud only.
3PL/2011/1308 - Change of use of land to livery and horse paddocks in association with the Gilbert Stud (retrospective) - Approved
3AG/2011/0025 - Tractor shed and mess room - No prior approval required
3PL/2012/0673 - Replace horse exerciser with new 167.4m diameter exerciser including clear polycarbonate roof cover - Approved
3PL/2012/0745 - Erection of two solar/wind powered external lights (retrospective) - Approved

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.12	Trees and Landscape
DC.16	Design
NPPF	With particular regard to para. 28.

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CIL / OBLIGATIONS

Not Applicable

CONSULTATIONS

SHIPDHAM P C -

The council have no objections to this application

SAHAM TONEY P C -

No objection

OVINGTON P C -

The Parish Council are happy with the proposed building but are concerned about the visual impact of such a large structure.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to condition in relation to use in connection with holding only in the interests of highway safety

REPRESENTATIONS

Letters of objection from residents of King Row to the south east of the site raise concerns in relation to the creep of buildings into the countryside; its size which will create a dominant feature in the landscape and dwarf existing buildings on the site; no regard for screening; the need for such a large building based on what is produced on site; possible future uses; impact on rural character of the area.

ASSESSMENT NOTES

* The application is referred to Planning Committee as it is a major application where previous applications on the site have been considered by the Planning Committee and in the light of local concerns.

Principle of development

* The NPPF and local policy seeks to support economic growth in rural areas and promote development and diversification of agricultural and other land-based rural businesses.

* The proposal provides storage for hay produced on the holding in connection with other horse related uses already approved which is consistent with these aims.

Scale, design and materials appropriate to use and rural location

* The scale and design of such a building is determined largely by what is to be stored and the equipment used for its movement. Whilst acknowledging the building is large, it is typical of those used for the storage of hay and straw produced on a holding and used on the site or sold on to support the enterprise. The building is open at floor level and finished in boarding and fibre cement cladding which is considered appropriate in such a rural location.

Impact on wider landscape

* The site is generally open and the building will be visible in the landscape.

* Residents of King Row to the south east have raised concerns regarding the scale of the

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building, encroachment into the countryside and impact on the rural landscape. Clearly the building cannot be hidden despite the presence of existing boundary vegetation and would be seen from various viewpoints. However, having regard to those properties on King Row, it would be seen as an extension of the existing built form at Ash Farm which comprises a variety of buildings associated with its use. The narrower gable would be that visible from the south and from Watton Road. Over the distance involved it is not considered the building would be overly intrusive.

- * Similarly, from the Watton Road, the building would be seen within the context of other buildings and, from this viewpoint, any impact would be softened by the planting to that boundary.
- * No further planting is proposed or considered necessary in this situation.

Impact on amenity

* Notwithstanding the issues raised above, the building is not considered likely to have a significant impact on the amenities of residential properties. The nearest properties lie to the west of the site, more than 220m away and not directly to the rear of those dwellings. The building is not considered likely to be intrusive.

- * Whilst acknowledging the concerns raised by residents of a dwelling to the south east of the site, over the distance involved (some 700m) the building is not considered likely to be intrusive or impact on residential amenity.

Control over future uses

* In terms of future uses of the site, a condition requires the building to be used for the storage of hay produced on the holding only in order to retain control over future uses and in the interests of amenity and highway safety.

Whilst the building is considered acceptable for use in connection with the agricultural holding, alternative uses may result in impact on amenity and could result in additional traffic movement on a minor road which is not considered suitable to cater for any significant increase.

Conclusion

* The proposal is generally in line with policy which seeks to promote rural enterprise and support agriculture. The building will not have a significant detrimental impact on the rural character of the landscape being well related to existing buildings within the site. Existing planting will soften views from Watton Road.

* Over the distances involved, the building is not considered likely to be intrusive or result in significant detrimental impact on the amenities of residential properties.

* Conditions will control future uses which could be incompatible with the rural setting or result in an increase in traffic movement, to the detriment of highway safety.

* The application is recommended for approval

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted
- 3920** Use in connection with the holding only
- 4000** Variation of approved plans

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- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2009** Criterion E - Planning Apps

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ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/1006/F	CASE OFFICER: Paul Took
LOCATION:	HARLING Cloverfield Lopham Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr and Mrs. P. Burton 7 Greenfields East Harling	
AGENT:	Durrants Chartered Surveyors Durrants Chartered Surveyors Pump Hill House	
PROPOSAL:	Extension of approved residential development to provide 8 dwellings & garages/cart sheds	

KEY ISSUES

Principle of residential development
Design and character
Highway safety
Affordable housing
Open space
Residential amenity

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the erection of eight dwellings, four bungalows and four houses, a phase of the area known as "Cloverfields" on land off Lopham Road in East Harling.

The development comprises an extension of a partially developed phase of development of 17 dwellings that was originally granted at appeal in May 2011 (3PL/2010/1079/F) and was subsequently revised in November last year. The revision involved a change in the previously approved layout and the creation of a new additional access off Lopham Road. The proposed scheme is regarded as a second phase that in effect completes the development of the site.

SITE AND LOCATION

The application site is located adjacent to the south-eastern edge of the village of East Harling and is approximately 0.6 hectares. The site is north of Lopham Road and adjoins the existing residential estate known as The Hamblings situated to the west. Open fields are beyond to the north. A further housing development has been granted planning permission to the east which

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results in this current parcel of land being virtually enclosed by development.

EIA REQUIRED

No

RELEVANT SITE HISTORY

Full planning permission was granted at appeal for a proposed residential development of 17 houses on 10th January, 2011 (3PL/2010/1079/F)

There are a number of other applications which relate to this and the larger adjoining site as follows:-

3PL/2012/0946/F - Residential development of 17 dwellings - Approved 9/8/2013

3PL/2012/0786/F - Minor material amendment to ref 3PL/2009/1066/F to change the design of houses nos. 8, 10 and 12 - Approved 2/10/2012

3PL/2009/1066/F - Demolition of existing redundant industrial buildings and erection of 10 no. houses (Re-sub of 3PL/2008/0579/F) - Approved

3PL/2009/1065/F - Residential development of 15 houses (re-submission of planning application

3PL/2009/0589/F) - Refused 18/2/2010

3PL/2009/0589/F - Residential development (15 units) - Dismissed on appeal 1/10/2009

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.01	Housing
CP.05	Developer Obligations
CP.11	Protection and Enhancement of the Landscape
CP.12	Energy
CP.14	Sustainable Rural Communities
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to para. 49

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CIL / OBLIGATIONS

The development requires contributions to be made towards the provision of open space and affordable housing. Discussions have taken place with the Housing Enabling Officer and it has been agreed that the provision of additional affordable housing, at a level of 40% of the total development, can be provided within the approved, first phase of the development. This requirement, together with additional open space contribution, will have to be subject to the variation of the existing S106 Agreement.

CONSULTATIONS

HARLING P C -

Harling Parish Council have no objections to this application

NORFOLK COUNTY COUNCIL HIGHWAYS

Norfolk County Council as Highway Authority would have no objection to the grant of planning permission subject to the imposition of the conditions

CONTAMINATED LAND OFFICER

Comments are awaited on request of additional information.

ENVIRONMENTAL PLANNING

The site is located outside of the existing settlement boundary for Harling as adopted under the Sites Specifics Policies and Proposals DPD (Jan 2012). The principle of residential development on this site needs to be considered against Policies SS1, CP1 and DC2 of the adopted Core Strategy and Development Control Policies DPD (2009).

This application forms part of a wider site which has already seen the granting of number of planning approvals, predominantly as a result of the lack of a five year housing land supply in the District, in particular application 3PL/2010/1079/F under previous National Planning Policy of PPS3, which gained approval on appeal.

Presently, Breckland cannot demonstrate an up to date five year supply of deliverable housing land as required by the National Planning Policy Framework (NPPF). Both Policies SS1 and CP1 of the Core Strategy identify that Harling is a suitable location for housing growth, and this site directly adjoins the existing settlement boundary.

Given the above and the planning history of the development, including the granting of permission on appeal, it is concluded that the proposed development is acceptable. The delivery of additional affordable units together with further contributions towards open space is a significant benefit, therefore, on balance, no policy objections are raised

REPRESENTATIONS

A letter of objection raises concerns in respect of need for the development; its siting at the furthest point from the A11; site is outside the Settlement Boundary; lack of amenities/services

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for elderly or disabled; lack of opportunity to raise objections; backland development; does not improve or enhance the rural landscape; pressure on local services; regard should be had to guidelines which state that residential gardens should not be included in the strategic housing land availability assessment.

ASSESSMENT NOTES

* The application is referred to Planning Committee because it is a major application where Members have previously considered applications on adjacent sites and where there are housing supply implications.

Principle of residential development

* Whilst the site lies outside the Settlement Boundary for East Harling, the principle of residential development has been established on adjacent land through the granting of planning permission on various phases of development due primarily to the Council's lack of a 5 year housing land supply. With this in mind, the Council still does not possess a 5 year housing land supply and, as such, it is appropriate, in principle, to consider this site for housing.

Design and character

* The layout and design of the proposed development is considered acceptable as it follows the general theme and style of the adjacent, relatively recently approved development. The scheme provides for a mix of dwellings with four bungalows to the east of the access road and adjoining the existing, established development of The Hamblings. The single storey dwellings provide a suitable relationship and avoid issues of overlooking or overbearing scale.

* The proposed development will be located between the existing development to the east and the approved development to the west and therefore will not create an intrusion into the wider countryside, maintaining the character of the locality.

* Conditions have been imposed in respect of the materials to be used in the construction of the dwellings and these would be expected to be in keeping with the existing materials and those previously approved.

* The belt of tall and imposing conifer trees along the western boundary are proposed to be replaced by more sensitive and appropriate planting and will be subject to a condition requiring a full landscape specification. This requirement had been endorsed by the existing residents as part of the previous application consultation and would make a positive contribution to the locality.

Highway safety

* The Highway Authority has raised no objections subject to the imposition of conditions to ensure the works, including drainage, are carried out to a standard for adoption. The access road will be a continuation of the previously approved road that serves the first phase of 17 dwellings.

* All dwellings have a minimum of two parking spaces.

Affordable Housing

* Although this phase of development does not include the provision of affordable units, the applicant has confirmed that the relevant contribution would be met by providing additional affordable units to those already agreed on the adjacent phase which is also under the applicant's control. This would result in 8 dwellings being provided across the two phases which total 25 units (8 as part of this application and 17 from the previously agreed scheme). Whilst this equates to 32%, which is below the policy requirement of 40% as set out in DC4, it is due to the fact that one of the affordable units is to be a bungalow with disabled facilities which was specifically requested by the Housing Enabling Officer. This will involve a Deed of Variation of the existing S106 Agreement to ensure this course of action.

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Open Space

* The scheme requires that additional contributions be made towards the provision of open space. This will be achieved via a financial contribution secured through a suitable legal agreement.

* The history and background of the area has resulted in the wider scheme being developed in a piecemeal fashion that makes it difficult to provide any meaningful open space on site. However, a small area has been indicated on the adjoining, previously approved, phase that could provide a Local Area of Play (LAP) for younger children. This would be secured via a legal agreement.

Residential amenity

* The development continues the existing approved layout on the estate road.

* The position of each dwelling within this proposed layout, when considering the design of each unit, including the position of all openings, results in a scheme which has adequate regard for the inter relationships between the dwellings proposed and those on the adjacent sites.

* Furthermore, the provision of single storey dwellings adjacent existing development at The Hamblings protects residential amenity in respect of overlooking or overbearing scale.

Conclusion

* In conclusion, it is considered that the scheme for residential development is acceptable given the Council's lack of a 5 year supply of housing land.

* The design and layout has sufficient regard for its surroundings, would not compromise neighbour amenity and satisfies all highway safety requirements.

* On this basis, and subject to the resolution of the relevant legal agreement, the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted
- MT03** External wall and roof materials to be agreed
- 3944** Contaminated Land - Desk Study/Site Investigation
- 3946** Contaminated Land - Unexpected Contamination
- 3408** Landscaping - details and implementation
- DE14** Boundary treatment
- PD04** No PD for fences, walls etc
- HA01** Standard estate road conditions
- HA23** Garages- size and retention for parked vehicles
- 3992** Subject to variation of S106
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2009** Criterion E - Planning Apps

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ITEM	5	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/1015/F	CASE OFFICER: Jayne Owen
LOCATION:	SWAFFHAM 38 Mill Farm Nurseries	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs D Maclean Tower Meadow Industrial Estate Castle Ac	
AGENT:	Matthew Gosling Arch. Design 6 Hawthorn Close Watlington	
PROPOSAL:	Construction of a detached dwelling with parking	

KEY ISSUES

Principle of development
Design and appearance
Amenity
Other issues

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for a single storey detached two bedroom dwelling with parking to the side and frontage, on land which currently forms part of the garden to the south of 38 Mill Farm Nurseries. A new access would be formed to the southern side of the plot. Materials are proposed to be agreed by way of an appropriate planning condition. The site is currently screened with 1.8 m high timber fencing on the western and southern boundaries. A new 1.8 high close boarded timber fence will be provided between the existing and new property on the northern boundary which will reduce in height towards the frontage. The front boundary will remain relatively open.

SITE AND LOCATION

The site lies within the Settlement Boundary of the town of Swaffham and currently forms part of the garden to the south of 38 Mill Farm Nurseries. The site is surrounded by residential dwellings predominantly comprising detached single storey and chalet type properties.

EIA REQUIRED

No

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RELEVANT SITE HISTORY

3PL/2013/0684/F - Erection of detached dwelling and garage - Refused
3PL/2013/0285/F - Construction of detached dwelling and garage - Refused

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.09	Pollution and Waste
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.11	Open Space
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 47-55 and 56-66.

CIL / OBLIGATIONS

The Council seeks to enter into Planning Obligations to provide necessary local infrastructure requirements on development sites. This could include, where necessary, for development to deliver site specific open space, connection to utility services (as required by legislation), habitat protection/ mitigation, transport improvements and archaeology. In relation to open space, the Council has identified a shortfall of outdoor sports provision and children's play space across the district. The evidence for this shortfall is found in the Council's Open Space assessment. Therefore, to remedy the identified shortfall, the Council seeks Unilateral Undertakings to provide contributions towards open space improvements under the provisions of adopted Policy DC11 where developments would not meet the threshold for on-site provision. In light of the evidenced shortfall of open space, the Council considers that these contributions are demonstrably improving open space provision in areas of evidenced shortfall and therefore comply with Regulation 122 of the CIL Regulations.

The Council is intending to implement CIL in 2014. As such, the payment of CIL and S106 obligations will be used for different requirements, and developments will not be charged for the same items of infrastructure through both obligations and the levy. Once adopted, CIL funds will replace contributions towards off-site infrastructure.

CONSULTATIONS

SWAFFHAM TOWN COUNCIL - No Comments Received

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NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections

REPRESENTATIONS

Three letters of objection have been received raising concerns relating to:- overlooking; design; scale and being visible across the rear of back garden; that the proposal remains similar to the previously refused schemes and is still too big for the site.

Nine further letters of representation raising the following issues; proposed build will enhance the estate; garden at 38 has at times been poorly maintained and a sympathetic new build will improve appearance; application is welcomed; the size of the proposed build is more in keeping with surrounding properties and similar new builds in the area; the building is in proportion to the plot and its surrounding area.

ASSESSMENT NOTES

* The application is referred to Planning Committee for consideration as it is a resubmission of two similar proposals which were recently refused by Members at meetings held on the 3rd June 2013 and 2nd September 2013.

Principle of development

* The site lies within the Settlement Boundary of the town of Swaffham. Core Strategy Policy DC2 provides that within the Settlement Boundaries as defined on the proposals map, new housing development will be permitted.

Design and appearance

* The previous proposals were refused on the grounds of size and scale. The scheme has been further amended by virtue of revisions to the proposed access arrangement and a reduction in the number of bedrooms from three to two, with a consequent reduction in size of 300mm from the overall width compared to the previous application and the garage and first floor accommodation has been removed completely.

* The street scene is predominantly characterised by detached residential dwellings comprising mainly single storey and chalet type properties and the proposed dwelling reflects this character by virtue of its overall size and height which is consistent with those adjacent and the retention of space between the proposed and adjacent dwellings. A street scene drawing submitted with the application satisfactorily demonstrates that it would have an acceptable relationship within the established street scene in this locality.

* Materials remain to be agreed and therefore a condition requiring agreement of full details would be attached to any planning permission granted.

* It is considered that the dwelling is provided with an adequate amount of amenity space, parking and turning provision and it is, therefore, not considered that the proposal would result in an overdevelopment of the plot.

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Amenity

* With respect to potential overlooking, there would be no first floor windows which would face towards the dwellings to the north and south or within the western elevation facing towards the rear garden of 39 Mill Farm Nurseries therefore no significant loss of privacy will occur. In respect of the glazed element in the gable of the western elevation, it is evident that there would be insufficient head height for a mezzanine type floor to be fitted.

* In terms of light and outlook, having regard to the significant distances to neighbouring properties, the overall size of the proposal and in relation to the movement of the sun, the scheme would not significantly compromise such amenities.

* In summary, it is considered that the proposed development would not have a significant impact on existing levels of residential amenity with respect to neighbouring dwellings.

Other issues

* Core Strategy Policy DC11 requires all new residential development to provide a contribution towards outdoor playing space. A signed and completed unilateral undertaking forms part of the submission.

* Norfolk County Council Highways have been consulted on the proposal and no objections have been raised subject to conditions and an informative.

* The Council's Contaminated Land Officer has been consulted on the proposal and no objections have been raised.

Conclusion

* The principle of new residential development inside the Settlement Boundary is acceptable in accordance with Policy DC2 of the adopted Core Strategy.

* It is considered that the dwelling is of an acceptable scale, massing, design and appearance having regard to existing built form.

* It is also considered that the proposal would have an acceptable relationship with adjacent properties and would not compromise highway safety.

* With this in mind, the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted
- MT03** External wall and roof materials to be agreed
- 3920** Boundary screening
- 3920** Highway condition - as plan; drainage
- 3920** Highway condition - parking wtc provided and retained
- PD07** No PD for classes A B C D & E
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 3995** NOTE - Unilateral undertakings
- 3950** Highways Note

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2009 Criterion E - Planning Apps

BRECKLAND COUNCIL PLANNING COMMITTEE

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

CA No Objection

TRE/2013/0140/TCA	Andrew Mathews	HOCKHAM Flint Cottages Shropham Road	x4 Silver Birch - fell to ground level and remove
TRE/2013/0138/TCA	Mrs Alison Philips	DEREHAM 4 Guildhall Gardens St Withburga Lane	Sycamore (T1) remove 3no stem against the wall as shown on accompanying photo; reduce northernmost stem to point sho
TRE/2013/0144/TCA	Mrs Geraldine Sayers Cowper	BANHAM St Mary's Church Church Hill	Lime (Nos 2,3,4,5,6 & 7) Raise crowns to 4m and reduce overhang to adj properties by 2m
TRE/2013/0141/TCA	Mr Sweetman	GARVESTONE Swallow Cottage Post Office Lane	Birch (T1) Reduce height to approx 8m and spread to 5m
TRE/2013/0135/TCA	Mr Pines	OXBOROUGH 28 The Green Oxborough	Norway Spruce (A) Fell to ground level and remove
TRE/2013/0139/TCA	Norfolk County Council	NORTH LOPHAM St Andrew's Primary School The Street	Ash (T2) deadwood, tip reduce the extended side branches Horse Chestnut (T7) deadwood crown, tip reduce side branche
TRE/2013/0136/TCA	Mr Robert Maslin	LITCHAM The Brambles Back Street	x2 Cherry - reduce to a height of 5m and a width of 3m Apple - Thin by not more than 20%

DOC - COMPLETE

3DC/2013/0141/DOC	Tilia (Foulsham) Ltd	SNETTERTON Snetterton Business Park Chalk Lane	Discharge of condition 4 on 3PL/2013/0271/F
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List of decisions made by the Breckland Council under the agreed terms of delegation.

DOC - COMPLETE

3DC/2013/0133/DOC	Mr BJ & PM Gooderham	KENNINGHALL Ash Tree Farm Green Lane	Discharge of condition 4 on pp 3PL/2013/0356/F
3DC/2013/0129/DOC	Bennett Homes	WATTON Former RAF Radar Site Norwich Road	Discharge of conditions 5, 8 & 9 on pp 3PL/2007/0262/O
3DC/2013/0035/DOC	Bennett Homes	CROXTON Valles	Discharge of conditions 3, 6, 7, 8, 9, 10, 12, 15, 17, 21 & 22 on 3PL/2012/0624/F

Hedgerow Removal App

HRN/2013/0002/HRN	Mr Kurt Booth	EAST TUDDENHAM Sandy Lane/Green Lane East Tuddenham	Removal of approx 255m west of Sandy Lane to facilitate carriage widening Removal of approx 297m east of
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No Prior Approval

3PN/2013/0021/PNE	Mr S Ahmed	THETFORD 8 Monksgate	Single storey rear extension to form family/garden room
3PN/2013/0020/PNE	Mr P Tucker	NARBOROUGH 61 Old Vicarage Park	Erection of white upvc conservatory to rear elevation

Permission

3PL/2013/0791/F	Mr Brian Wilson	BESTHORPE Virginia Works Norwich Road	Upgrading & improvements to bungalow, new roof over extg extension. External render system to insulate
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List of decisions made by the Breckland Council under the agreed terms of delegation.

Permission

3PL/2013/0877/F	Mr Steven Kuntze	HARLING Whitebird Farm Fen Lane	Conversion of outbuilding to annex
3PL/2013/0878/O	RG Abrey Farms	WRETHAM RG Abrey Farms Illington Road	Outline Application - Agricultural dwelling
3PL/2013/0893/F	Fleur Developments Ltd	EAST TUDDENHAM Baynings Mattishall Road	Demolition of bungalow & erection of 5 detached dwellings with associated garages
3PL/2013/0900/F	Mr B Walker	MUNDFORD 14 Crown Road	Remove rear flat roof, chimney stack, parapet walls & provide velux roof, pitched roof & change windows to front
3PL/2013/0985/F	Mr and Mrs N Sorochan	THETFORD 67 Kimms Belt	Proposed front porch
3NM/2013/0088/NMA	Mr & Mrs Addison	BEETLEY Land adj. Brecklands 48 Elmham Road	Amendments to 3PL/2013/0563/ windows to white PVCu, change of tiles, kitchen window dimension, 900mm pier in rear
3PL/2013/0992/F	Mr & Mrs Copland	MATTISHALL 16 Willow Close	Extension to rear of property
3PL/2013/0936/F	Mr C Hart	NORTH LOPHAM Ivydene Farm 11 The Green	Conversion of workshop/games room to an annexe

BRECKLAND COUNCIL

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

Permission

3PL/2013/0961/F	Mrs and Mrs Robin Caley	WHINBURGH/WESTFIELD Greenacres Dereham Road	Two storey extension
3PL/2013/0889/F	The Fransham Farm Co. Ltd	SWAFFHAM Rear of Swans Nest Farm 64 Watton Road	Erection of 4 dwellings to be known as Bayfield Way
3PL/2013/0930/F	Mr A Fell	BRISLEY The Cottages Fludges Lane	Erection of two storey extensions & double garages incl dem of existing outbldgs (part retrospective)
3PL/2013/0201/CU	Mr Colin Hales	GREAT ELLINGHAM Archers Lodge 36 Long Street	Change of use of domestic annexe to dwelling
3PL/2013/0850/F	Mr & Mrs K & J Harveyson	BANHAM Rosina House Overcross	Minor Material Amendment to 3PL/2007/1097/F (Alts to entrance doors & provision of new staircase)
3PL/2013/0875/A	Superdrugs	THETFORD Superdrug 6 King Street	Replacement of signage with new corporate signage 1 internally illuminated fascia & 1 hanging sign
3PL/2013/0841/F	Raker Farms	CROXTON Watton Road	Minor material amendment to 3PL/2012/0595/F - change orientation of building
3PL/2013/0920/F	Mr P Walters	BEETLEY Oakwood Bracken Avenue	Single storey side extension to form garage

BRECKLAND COUNCIL

PLANNING COMMITTEE

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

Permission

3PL/2013/0965/F	Ms Cathy Frost	SAHAM TONEY 140 Hills Road Saham Hills	Extensions and alterations
3PL/2013/0948/F	Mr Colin Granger	SWAFFHAM 1 King Street	Single storey extension to the side of the property and vehicle access
3PL/2013/0955/F	Mr & Mrs Andrew Pridmore	HOLME HALE 22 St. Andrews Close	Extensions to rear and side of property
3NM/2013/0059/NMA	Mr Matthew Newbury	KENNINGHALL Memorial Hall School Close	Non-material amendment to 3PL/2011/1226/F change in bricks/tiles, black pvc rain water goods/fascia/barge board
3NM/2013/0060/NMA	Mr Matthew Newbury	KENNINGHALL Memorial Hall School Close	Non-material amendment to 3PL/2008/0206/F plot 4 render to brick, black pvc rainwater goods, change bricks/tiles etc
3PL/2013/0884/LB	Mrs J Norton	SWAFFHAM Smiths Solicitors 95 Market Place	Internal alts to shop & office, alts to extg flat to create 2 flats, insert solar array to flat roof terrace
3PL/2013/0959/F	Mr & Mrs L Macey	DEREHAM 10 Paget Adams Drive	Single storey extension to side to create family/hobby room & extend drive for additional parking space
3PL/2013/0984/F	B J Higgins	HOCKERING 2 Chapel Lane	Change of use to existing dwelling to include holiday let accommodation

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Permission

3PL/2013/0395/O	Norfolk County Council	NECTON Former Necton V A Infant School School Road	Erection of four detached two storey, four bedroom dwellings & a pair of semi-detached one bedroom bungalows
3PL/2013/0916/F	Mrs Jane Johns	CASTON Abbots Gate Northacre	Internal alterations to form annex
3PL/2013/0839/F	Mr Craig Jenkins	HARLING 50 White Hart Street	Render front and side of existing garage, install flue and re roof garage
3PL/2013/0894/F	Mr & Mrs M Elsdon	BAWDESWELL 4 Saxon Meadows	Two new dwellings with garages
3PL/2013/0860/F	Rev Michael Richardson	BANHAM Rectory Farm Barn Church Lane	Installation of air source heat pump with compressor housing (retrospective)
3PL/2013/0994/F	Mr R Williams	BEACHAMWELL 7 Chestnut Walk	Extension to dwelling & demolish existing garage
3PL/2013/0913/F	Abel Homes Ltd	SHIPDHAM Land off Church Close	Substitution of house types to plots 1 and 2 as an amendment to 3PL/2010/0732/F
3PL/2013/0931/F	Mr & Mrs D Goldsby	COLKIRK 1 Fairview Drive	Two storey side extensions & porch, demolish flat roof garage & erect detached double garage & new driveway

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Permission

3PL/2013/0917/F	Mr Colin Webster	ATTLEBOROUGH Entrance to lakes Adjoining Westward Care Homes	New access road
3DC/2013/0123/DOC	Mellor Metals	GREAT ELLINGHAM 58 Long Street	Discharge of conditions 3 & 8 on 3PL/2013/0113/F
3PL/2013/0899/F	Mr Darren Keeling	ATTLEBOROUGH 106 Hargham Road	Erect a single storey sun room to rear
3PL/2013/0927/F	Mr & Mrs Ward	BRIDGHAM 90 The Street	Demolish conservatory, erect 2 storey rear & single storey side extensions & create loft rooms, dormer to rear
3PL/2013/0968/F	Mrs Julie Redshaw-Anthony	ICKBURGH Forest Lodge High Ash	Construction of a detached garage/garden store
3PL/2013/0868/F	Waitrose Ltd	SWAFFHAM Waitrose Ltd Green Way	Extension to cafe & 2 covered trolley bays
3PL/2013/0883/F	Mrs J Norton	SWAFFHAM Smiths Solicitors 95 Market Place	Internal alts to shop & office, alts to extg flat to create 2 flats, insert solar array to flat roof terrace
3PL/2013/0871/F	Mr A Mexome	GARBOLDISHAM Former Granary Site Manor Farm	Minor Material Amendment to 3PL/2007/1295/F - Redesign of unit no.3

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

Permission

3PL/2013/0980/F	Mr J Gregson	TITTLESHALL 47 Fakenham Road	Erection of greenhouse & single bay cartshed/workshop
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Refusal

3PL/2013/0870/F	Mr Anthony Cheetham	YAXHAM Gadwall Farm Spring Lane	Convert redundant agricultural building to 2 holiday cottages for short term lettings & 11 month occupancy
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3PL/2013/0918/LU	Preva Produce	SNETTERTON Preva Produce Unit 3	Installation of solar panels on roof (Certificate of Lawfulness)
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3PL/2013/0898/EU	Ms M A Cook	MATTISHALL The Paddocks Mill Road	Retention of mobile home (certificate of lawfulness)
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3PL/2013/0926/F	Mr & Mrs L Ferry	WEASENHAM ST.PETER The Old Butchers Shop The Green	12 solar PV panels on roof
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3PL/2013/0817/F	Mr Ian Rea	MATTISHALL 34-36 Dereham Road	Conversion of two barns with single storey link to form single dwelling
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TPO Work Consent

TRE/2013/0125/TPO	Mrs Susan Hunter	LITTLE ELLINGHAM Treetops 3 The Green	Sycamore (T1) Reduce height to approx 18m
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BRECKLAND COUNCIL

PLANNING COMMITTEE

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

TPO Work Consent

TRE/2013/0145/TPO	Mr Kevin Trench	DEREHAM York Place Dereham	Horse Chestnut (T1) [T2 of TPO] Fell to ground level and remove Horse Chestnut (T2) [T1 of TPO]
TRE/2013/0124/TPO	Mr Hamilton Devlin	ATTLEBOROUGH 6 Dodds Road Attleborough	Oak (T1) Fell
TRE/2013/0137/TPO	Mr Robertson	WATTON 2 & 4 Roman Drive Watton	Hornbeam and Ash (G1) Coppic to a height of 1m Field Maples - remove western most stem,remove existing larg
TRE/2013/0146/TPO	Mr Ben Lewis	OVINGTON 1 Church Road Ovington	Lime (T2) [T11 of TPO] Crown lift to 5m Lime (T3) [T10 of TPO] Reduce extended limb growing over bou

TPO Work Modify Spec

TRE/2013/0128/TPO	Mr ROBERT TASH	DEREHAM Adj 11 Stillwell Drive Humbletoft	Oak (T34) Reduce extended laterals over 11 Stillwell Drive by not more than 3m
TRE/2013/0142/TPO	Mrs Susan Cross	BEETLEY 29 Beech Road Beetley	Oak (T1) Reduce crown overhanging 1 Spinney Close by 2m

Tree Works Split Dec

TRE/2013/0143/TPO	Mrs S Merritt-Morling	GRISTON 1 The Paddocks Griston	Ash (T2 & T3) Fell to ground level and remove
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