

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

Principle of development
Highway safety

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2006/0048 - Change of use of buildings to B8 (storage only) - Withdrawn 10/3/2006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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

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

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

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

POLICY CONSIDERATIONS

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

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

CONSULTATIONS

ROUDHAM & LARLING P C -

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

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

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

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

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

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

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

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

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

BRIDGHAM P C -

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

CONTAMINATED LAND OFFICER

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

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

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to the following conditions:

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

0700 to 1900 hours Monday to Friday and

0700 to 1300 hours on Saturday.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

ASSESSMENT NOTES

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

Principle of Development

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

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

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

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

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

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

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

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

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

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

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

Highway safety

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

Other issues

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

Conclusion

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

RECOMMENDATION Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

services.

SITE AND LOCATION

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

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

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

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

POLICY CONSIDERATIONS

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

CONSULTATIONS

WATTON TOWN CLERK - No Comments Received

ENVIRONMENT AGENCY

No objections subject to conditions

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

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

Landscaping

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

Doors and windows

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

ANGLIAN WATER SERVICE

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

TREE & COUNTRYSIDE CONSULTANT

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

CONTAMINATED LAND OFFICER

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

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions

MINISTRY OF DEFENCE

No safeguarding objections.

HOUSING ENABLING OFFICER

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

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

ECONOMIC AND STRATEGY OFFICER - No Comments Received

ASSET MANAGEMENT - No Comments Received

STREETSCENE - No Comments Received

REPRESENTATIONS

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

ASSESSMENT NOTES

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

Principle of development

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

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

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

Design and appearance

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

Amenity

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

Landscaping

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

Drainage and flooding

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

Highways

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

Contamination

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

Conclusion

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

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

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

POLICY CONSIDERATIONS

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

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

CONSULTATIONS

SWAFFHAM TOWN COUNCIL -

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

ENVIRONMENT AGENCY

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

NATURAL ENGLAND

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

- Protected Species
- Protected Areas
- Biodiversity Enhancements.

NORFOLK COUNTY COUNCIL HIGHWAYS

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

HISTORIC BUILDINGS CONSULTANT

No objection. As per informal pre application discussion.

TREE & COUNTRYSIDE CONSULTANT

Trees

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

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

Biodiversity

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

CONTAMINATED LAND OFFICER

No objections subject to conditions and an informative.

ENVIRONMENTAL HEALTH OFFICERS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

NORFOLK LANDSCAPE ARCHAEOLOGY

No objection subject to conditions.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER - No Comments Received

ECONOMIC AND STRATEGY OFFICER - No Comments Received

ENABLING OFFICER - No Comments Received

STREETSCENE - No Comments Received

REPRESENTATIONS

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

ASSESSMENT NOTES

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

Principle of development

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

Design

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

Residential amenity

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

Highway Safety / Parking

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

Open space and affordable housing contributions

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

Other Issues

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

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

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

* The Environment Agency have not objected to the application.

Conclusion

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

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

Impact on the historic environment

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

POLICY CONSIDERATIONS

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

DC.12 Trees and Landscape

DC.17 Historic Environment

CONSULTATIONS

SWAFFHAM TOWN COUNCIL -

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

HISTORIC BUILDINGS CONSULTANT

No objection. As per informal pre application discussion.

REPRESENTATIONS

None

ASSESSMENT NOTES

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

Impact on the historic environment

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

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

Other Issues

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

Conclusion

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

RECOMMENDATION

Conservation Area Consent

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

RELEVANT SITE HISTORY

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

POLICY CONSIDERATIONS

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

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

CONSULTATIONS

THOMPSON P C -

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

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

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

ENVIRONMENTAL HEALTH OFFICERS

No objection

MINISTRY OF DEFENCE

No objections

TREE & COUNTRYSIDE CONSULTANT

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

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

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

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

The following is a summary of representations received:

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

ASSESSMENT NOTES

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

Principle of Development

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

detrimental to the amenities of adjoining residents.

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

Size, scale, siting and external appearance

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

Impact on Street Scene

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

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

Impact on amenity

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

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

Impact on Special Interest Feature of the SPA

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

Other Issues

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

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

Conclusion

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

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

POLICY CONSIDERATIONS

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

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

CONSULTATIONS

WHINBURGH & WESTFIELD P C -

To be reported verbally

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

TREE & COUNTRYSIDE CONSULTANT

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

ENVIRONMENTAL HEALTH OFFICERS

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

HOUSING ENABLING OFFICER

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

an on-site dwelling.

REPRESENTATIONS

Letters of representation raise the following issues:

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

ASSESSMENT NOTES

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

Residential development in the countryside

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

Design and character of the area

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

Residential amenity

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

Highway safety and parking

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

Other Issues

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

Conclusion

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

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Outside Settlement Boundary

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

Principle of development
Design and appearance
Impact upon neighbour amenity

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

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

DC.01 Protection of Amenity

DC.16 Design

CONSULTATIONS

DEREHAM T C -

No objection

NORFOLK COUNTY COUNCIL HIGHWAYS

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

REPRESENTATIONS

None

ASSESSMENT NOTES

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

Principle of Development

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

Design & Appearance

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

Amenity

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

Conclusion

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

RECOMMENDATION Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

KEY ISSUES

Creation of a dwelling in the countryside
Highway safety

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

RELEVANT SITE HISTORY

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

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

POLICY CONSIDERATIONS

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

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

CONSULTATIONS

YAXHAM P C -

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

NORFOLK COUNTY COUNCIL HIGHWAYS

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

HISTORIC BUILDINGS CONSULTANT

No objection.

CONTAMINATED LAND OFFICER

No objections

REPRESENTATIONS

None

ASSESSMENT NOTES

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

Creation of a dwelling in the countryside

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

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

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

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

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

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

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

Highway Safety

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

Other Issues

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

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

Conclusion

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 06-08-2012

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

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

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

9900 Reason for refusal - Safe & free flow of traffic