

Item No.	Applicant	Parish	Reference No.
1	Ms Sharmane Edwards	ATTLEBOROUGH	3PL/2012/1243/F
2	W O & P O Jolly	ROUDHAM/LARLING	3PL/2012/1352/F

BRECKLAND COUNCIL - PLANNING COMMITTEE - 11-02-2013

ITEM	1	RECOMMENDATION : REFUSAL
REF NO:	3PL/2012/1243/F	CASE OFFICER: Liz Starling
LOCATION:	ATTLEBOROUGH Birds Meadow Buckenham Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Ms Sharmane Edwards 3 Bowford Crescent Monkswood	
AGENT:	CSA Design Studio The Cottage Rocklands Road	
PROPOSAL:	Erection of 17 dwellings	

KEY ISSUES

Principle of residential development
Design and impact upon the character of the locality
Impact upon residential amenity
Highway safety
Affordable housing provision
Ecology/trees

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the erection of 17 dwellings on land at Buckenham Road in Attleborough.

The scheme proposes a mixture of housing types including four detached houses, two pairs of semi-detached houses, a pair of semi-detached bungalows, a terrace of four houses and a further terrace of three houses. Seven of the units would be for affordable housing.

The dwellings proposed are of a contemporary design, using traditional materials including red brick, larch timber cladding and plain tiles. The scheme also incorporates design features including solar panels, timber shading screens and bike sheds. Six allotted gardens are also included to the front of the site.

Access to the site would be provided via a new shared access off Old Buckenham Road.

SITE AND LOCATION

The site lies outside the Attleborough Settlement Boundary and comprises an overgrown area of

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land to the west of Old Buckenham Road on the edge of the town. To the north of the site lies detached and semi-detached bungalows and houses, fronting onto Old Buckenham Road.

The land to the rear of the site, which was formerly a pig farm, was granted planning permission for residential development with access off Slough Lane (ref: 3PL/2010/0033/F). Agricultural land lies to the south-west and east.

Two oak trees on the northern site boundary are the subject of a Tree Preservation Order, with a pond in the north-west corner of the site close to one of these protected trees.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2011/0988/F - Full planning permission for the erection of 17 dwellings - Refused on 28th November 2011.

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.10	Natural Environment
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.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.15	Renewable Energy
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 14, 15, 47 and 49

CONSULTATIONS

OLD BUCKENHAM PARISH COUNCIL - No Comments Received

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ATTLEBOROUGH TC -

Objection on the grounds of infrastructure concerns, location of the site entrance road being placed close to the S-bend at Foundry Corner, highways and footway impact (no footway on one side of the B1077 and only a narrow footway on the other side), additional vehicle movements on Buckenham Road, and aesthetic deviations from the existing street scene. It is also noted with disappointment that this application appears to be virtually identical to the former application for this site which suggests the applicant hasn't taken into account the myriad points of concern made by the Town Council and which are now re-stated.

ENVIRONMENT AGENCY

No objection raised subject to the imposition of conditions in respect of contamination and drainage.

NATIONAL GRID

Concerns raised given that National Grid has identified that it has apparatus in the vicinity of the site which may be affected by the activities specified, and their request to be notified in the event of approval being recommended.

Due to the presence of National Grid apparatus in proximity to the specified area, general advice is also provided in respect of the need for the contractor/developer to contact National Grid before any works are carried out to ensure apparatus is not affected by any of the proposed works, as well as advice in respect of the developers responsibilities and obligations.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

Concerns raised. Recommend that an informative note be added should planning permission be granted.

NORFOLK COUNTY COUNCIL - HIGHWAYS

Objection on the grounds of lack of adequate access to an appropriate level of public transport provision, the remoteness of the site from local service centre provision conflicting with the aims of sustainable development and the lack of land within the applicant's control to provide adequate visibility at the site access.

TREE & COUNTRYSIDE OFFICER

In respect of policies CP10, CP11 and DC12 there are no objections to the principle of development. However, for the detailed reasons below, the currently proposed development is contrary to policies CP10 and DC12.

Furthermore, I can discern no significant difference between this proposal and the former proposal 3PL/2011/0988/F, none of the reports have been updated and none of my earlier concerns have been addressed, consequently I can only repeat my previous comments.

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The northern boundary of the site comprises an ancient species rich hedgerow within which stand two oaks which are the subject of Tree Preservation Order 2009 No.9 (T7 & T8). T7 stands behind a pond and has been identified as vulnerable; both trees are of high importance. Radical alteration of the rooting environment by infilling of the pond creates an unacceptable risk to this protected tree.

Furthermore, the deliberate loss, rather than enhancement, of a potentially valuable conservation resource contravenes both CP10 and DC12 and necessitates a re-consideration of the site layout. Surely retention of the pond in a corner location with natural protection on two sides is more sustainable than excavating another pond in a more exposed location.

The wildlife assessment by Mick Finnemore is accepted and his highlighted risks to amphibians by backfilling the pond are noted.

The replacement of the Lawsons cypresses on the south east boundary in favour of native species is encouraged.

Notwithstanding the above, any consent should be subject to tree protection fencing condition 3414 and the requirement for a landscaping plan in keeping with the rural nature of the site.

HOUSING ENABLING OFFICER

The provision of 7no. dwellings as affordable housing meets the Council's affordable housing target of 40% on site. There is a considerable need for affordable housing in Attleborough and the surrounding areas, and therefore the provision of 5no. rented and 2no. intermediate dwellings is welcomed. The mix, although not providing a wide range of property sizes, does include a number of 2-bed dwellings which are needed in the area.

The rented dwellings will need to be provided in perpetuity as affordable and the mechanism as to how this is assured should be discussed with the Enabling Team.

We expect the affordable dwellings to be built to at least the minimum Housing Quality Indicator standards as set out by the HCA and be delivered free from public subsidy.

CONTAMINATED LAND OFFICER

No objection subject to the imposition of conditions in respect of the backfilling of the pond and associated ground gas and contamination.

EAST HARLING I D B

The IDB have no objection subject to the following points:

1. Confirmation of no increase in off-site flood risk for up to the 100 year + climate change storm event
2. That the on-site drainage is adopted by Anglian Water
3. A satisfactory ownership and maintenance regime for the swales is put in place
4. The IDB recommend that approval is conditional on the points above and to the scheme being approved by the SAB or District Council.

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REPRESENTATIONS

No letters received to date.

ASSESSMENT NOTES

- * The application is referred to Planning Committee as it is a major application.
- * The application seeks full planning permission to construct 17 dwellings on land at Buckenham Road on the edge of Attleborough.
- * Members will recall that planning permission was refused for a similar scheme for 17 dwellings on the site in November 2011 (ref: 3PL/2011/0988/F).

Principle of development

- * The site lies outside of the defined Settlement Boundary of Attleborough and consequently the applicant has requested that the site be considered against PPS3 and in particular paragraph 71 in respect of the 5 year housing supply.
- * However, since the previous application was considered in 2011, PPS3 has been superseded by the publishing of the National Planning Policy Framework (NPPF) in March 2012 where paragraph 15 sets out the Governments "presumption in favour of sustainable development". Furthermore, paragraph 14 states that policies dealing with housing numbers should be considered out-of-date if a 5 year land supply cannot be identified (paragraph 49). As was the case when the previous application was refused in 2011, Breckland Council cannot currently demonstrate a 5 year supply of housing land required by paragraph 47 of the NPPF. The Council's five year housing supply statement (2012) indicates that the Council can currently only demonstrate 3.41 years land supply.
- * As such, given that the Local Planning Authority does not have an up-to-date five year housing supply, the proposal can be looked at favourably in general terms.

Design and impact upon the character of locality

- * It is acknowledged that the layout of the site is constrained by the existence of a gas main which crosses the site and effectively divides it, resulting in all but two dwellings being located to the rear of the site. The area covered by the gas main has been utilised as allotted gardens and open space. The allotment gardens are at the front of the site adjacent the highway and immediately to the south of the existing dwelling.
- * Notwithstanding the rationale behind the scheme's design, it is considered that the layout of the site does not relate well to the existing pattern of development along this part of Old Buckenham Road. The dwellings are concentrated to the rear of the site and are in direct contrast with the existing linear development along the street scene. Furthermore, the development to the east and west of the gas pipe does not form a cohesive group and is considered inappropriate for this edge of settlement location. Notwithstanding paragraph 15 of the NPPF, it is considered the proposal cannot be supported in its current form.
- * With regard to design, the dwellings are of a contemporary style and would be constructed using traditional materials, incorporating energy saving measures. They are considered acceptable in terms of scale, size, design and appearance.

Impact upon Residential Amenity

- * In terms of the impact on the neighbouring properties, the existing dwelling to the north of the site is single storey. The proposed dwellings nearest this property are also single storey and orientated to face away from it. The adjacent proposed terrace is also one and a half storey and

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uses roof lights on the rear elevation to reduce the impact in terms of overlooking and scale. As such, it is considered that the residential amenities of the occupants of the existing and proposed properties would be adequately protected, and the scheme would accord with the requirements of Policy DC1 of the Adopted Core Strategy.

Highway Safety

* The Highway Authority has recommended the application be refused on the basis that the proposal would not have adequate access to public transport and conflicts with the aims of sustainable development in terms of reducing the reliance on the private car. They also raise concerns that the applicant does not appear to have control of sufficient land to provide adequate visibility splays.

* Whilst it is not considered reasonable to refuse the application on the grounds of lack of public transport provision and the need to reduce car reliance, given the proximity of the site to the town centre, the lack of sufficient visibility is of concern and it is considered that the proposal should be refused on the grounds of inadequate visibility.

Affordable Housing

* The scheme triggers a requirement for affordable housing to be provided in accordance with Policy DC4 of the Adopted Core Strategy. The applicant is willing to provide 7 of the 17 units as affordable which meets the 40% affordable housing target and, as such, no objection has been raised by the Council's Housing Enabling Officer. Given that there is a considerable need for affordable housing in Attleborough and the surrounding areas, the provision of five rented and two intermediate dwellings is welcomed. Therefore, whilst the mix proposed does not provide a wide range of property sizes, it does include a number of 2-bed dwellings for which there is a need in the area.

Ecology/Trees

* The Tree and Countryside Consultant has raised a concern that the filling of the pond would impact on the oak tree which is the subject of a Tree Preservation Order. The proposal is therefore considered contrary to Policy DC 12.

Other issues

* The Contaminated Land Officer raises no objection to the scheme subject to the imposition of conditions in respect of contamination and ground gas.

* Furthermore, the Environment Agency has confirmed that it has no objection subject to the imposition of conditions.

* Heads of terms in respect of affordable housing and recreational space have been submitted with the application; however the Section 106 agreement has not been progressed as no undertaking for costs has been submitted.

Conclusion

* In conclusion, notwithstanding the lack of a five year housing supply and the requirements of paragraphs 14, 15, 47 and 49 of the NPPF, on balance, the scheme remains unacceptable. The scheme does not allow for adequate visibility splays and is recommended for refusal on the grounds of highway safety. It is considered that the scheme would have an unacceptable impact upon the character and appearance of the locality in terms of layout and have a detrimental impact on the vitality of the protected tree.

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RECOMMENDATION Refusal of Planning Permission

REASON(S) FOR REFUSAL

- 9044** Failure to meet aims of sustainable development
- 9035** Compromise character and appearance
- 9900** Highways - insufficient land to provide adequate visibility
- 9900** Risk to protected tree

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ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/1352/F	CASE OFFICER: Liz Starling
LOCATION:	ROUDHAM/LARLING Roudham Farm	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	W O & P O Jolly Roudham Farm Roudham	
AGENT:	Marrison Agriculture Limited Unit 1 Ironside Way	
PROPOSAL:	Erection of environmentally controlled onion storage building	

KEY ISSUES

Principle
Design, siting and scale
Impact upon residential amenity
Highway safety

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission to construct an agricultural storage building on land at Roudham Farm in Roudham. The building would be used as an environmentally controlled building for the storage of 1500 tonnes of onions grown locally to the farm.

The building would measure approximately 24 metres by 38 metres with a height to the ridgeline of 9.2 metres. The steel framed building would be constructed using insulated composite panels finished in olive green to the walls and moorland green to the roof.

The site would be served by the existing farm access.

SITE AND LOCATION

The site lies outside the designated Settlement Boundary and comprises the farm house, yard and associated modern agricultural buildings.

The site is surrounded by a number of residential properties and arable fields.

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EIA REQUIRED

No

RELEVANT SITE HISTORY

3TL/2011/0031/TL - Extension of time limit on planning permission ref: 3PL/2008/0660/F for a environmentally controlled potato building - Approved on 19th September 2011.

3PL/2008/0660/F - Full planning permission for an environmentally controlled potato building - Approved on 26th August 2008.

3PL/1996/0149/F - Full planning permission for the erection of an onion store - Approved on 16th April 1996.

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
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework

With particular regard to paragraph 28.

CONSULTATIONS

ROUDHAM & LARLING P C -

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection.

CONTAMINATED LAND OFFICER

No objection.

TREE & COUNTRYSIDE CONSULTANT

No objection.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to the imposition of a noise condition to alleviate environmental concerns.

REPRESENTATIONS

No letters received to date.

ASSESSMENT NOTES

* The application is referred to Planning Committee as the applicant is a relative of a Breckland Council Member.

* The application seeks full planning permission to construct an agricultural storage building on land at Roudham Farm in Roudham.

Principle

* The principle of an agricultural building on the holding for the purposes required is deemed acceptable in policy terms and would accord with the requirements of the National Planning Policy Framework and the Adopted Breckland Core Strategy.

Design, Siting and Scale

* Whilst the proposed building is relatively large, it is considered acceptable in design terms, would be located within an existing established farm yard and set against a backdrop of other agricultural buildings of a similar scale. As such, it is considered that the scheme would accord with Policies DC12 and DC16 of the Adopted Breckland Core Strategy.

Impact upon residential amenity

* Notwithstanding that there are a number of residential properties in the vicinity of the site, it is considered that the building, by virtue of its siting and design, would adequately safeguard the residential amenities of the occupants of these properties in terms of privacy, light and noise and disturbance. The Council's Environmental Health Officer raises no objection to the proposal, subject to the imposition of a noise condition. As such, the scheme would accord with the requirements of Policy DC1 of the Breckland Core Strategy in respect of safeguarding residential amenity.

Highway safety

* Furthermore, whilst the surrounding highway network is restricted in width and lacks adequate passing provision, no objection has been raised by the Highways Authority on highway safety grounds given that the building would minimise the need for off-site produce storage, the limited increase in vehicular movements associated with the proposed building and the existing agricultural use of the site.

Other issues

* Whilst the site lies adjacent to an identified area of contaminated land, no objection has been raised by the Council's Contaminated Land Officer on the grounds of contamination.

Conclusion

* In conclusion, the application is considered to accord with Policies DC1, DC12 and DC16 of the Adopted Breckland Core Strategy and the requirements of paragraph 28 the National Planning

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Policy Framework, and is recommended for approval subject to the imposition of conditions.

RECOMMENDATION Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- MT02** External materials as approved
- 3996** Note - Discharge of Conditions
- 3560** Agricultural Building - No livestock/slurry
- 3561** Agricultural Building - holding use only
- 3940** Noise condition
- 4000** Variation of approved plans
- 3998** NOTE: Reasons for Approval
- 2000** NOTE: Application Approved Without Amendment