

Item No.	Applicant	Parish	Reference No.
1	Breckland Council	GRESSENHALL	3PL/2012/0556/O
2	Mr S Jay & Ms S Falquero	MATTISHALL	3PL/2012/1004/F
3	SCWS	GRISTON	3PL/2012/1045/O
4	Mr & Mrs Stasiak	ATTLEBOROUGH	3PL/2013/0055/F
5	Mr & Mrs N Whybrow	FOXLEY	3PL/2013/0075/O
6	Mr & Mrs I Powley	FOXLEY	3PL/2013/0076/O
7	Mr S Knowles	MILEHAM	3PL/2013/0106/O

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	1	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/0556/O	CASE OFFICER: Jemima Dean
LOCATION:	GRESSENHALL Rougholme Close	APPN TYPE: Outline POLICY: In Settlement Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Breckland Council Elizabeth House Dereham	
AGENT:	Daniel Connal Partnership The Glasshouse Kings Lane	
PROPOSAL:	Erection of two storey detached dwelling and external hardstanding for parking	

KEY ISSUES

Principle of development
Neighbouring amenity
Highway safety

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission for the erection of a single detached 2 storey dwelling in a residential area within the Settlement Boundary of Gressenhall. The application seeks to deal with only access, however an indicative layout and floor plans have been provided.

SITE AND LOCATION

The application site comprises approximately 0.06 hectare of land, broadly rectangular in shape, with an access track leading from Rougholme Close. To the north east of the site is the property and garden of Coronation Farm; the site is bounded to the north east by mature trees and a ditch. To the east and west the site is bounded by close boarded fencing beyond which are the gardens and 2 storey dwellings of properties fronting Rougholme Close.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

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.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraph 49.

CONSULTATIONS

GRESSENHALL P C -

No comments

CONTAMINATED LAND OFFICER

No objection subject to conditions.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

TREE & COUNTRYSIDE OFFICER

No objections subject to an Arboricultural Impact Assessment and a re-submission of the ecological assessment accompanying any reserved matters application.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

Two third party representations have been received in response to the application. Concerns relate to:

Overlooking of neighbouring properties; increase in on street parking; right of access across the application site

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ASSESSMENT NOTES

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

Principle of Development

* The site falls within the Settlement Boundary for Gressenhall and, as such, is considered to be suitable in principle for residential development and is in accordance with Core Strategy Policy DC2 Principles of New Housing.

* In addition, Core Strategy Policy DC11 states that all new development is expected to provide a contribution towards outdoor playing space equivalent to 2.4 hectares per 1000 population. In normal circumstances this would be secured by way of a unilateral undertaking however as the applicant is Breckland Council this cannot be achieved in this way. The Council has agreed that should the land be sold it will be stipulated on contract that a unilateral undertaking will be required to be entered into to secure the required recreation contribution.

Neighbour amenity

* In terms of impact on amenity, whilst the details of scale and layout etc. are reserved, an indicative layout and floor plans have been provided as part of the application. The revised layout demonstrates in this regard the application site has capacity to accommodate a detached two storey dwelling without detriment to neighbouring amenity. Representations received object to the proposed erection of a dwelling in this location for reasons of overlooking. A revised plan addresses this concern and demonstrates a layout, which would not result in unacceptable effects on the amenities of the area by way of overlooking, can be provided within the site.

Highways

* It is considered that a satisfactory access to the proposed development can be achieved. In terms of parking the application provides two car parking spaces and accords with Core Strategy Policy DC19 Parking Provision. Representations received refer to parking with concern that the proposed development would lead to an increase in on-street parking. The proposal does not raise concern and is not considered to be detrimental to highway safety by the Highways Officer. In terms of parking and highway safety the proposed development is considered to be a satisfactory form of development.

Other matters

* Whilst the letters of objection both refer to having a right of access through the application site this is not a planning matter and does not impact on the planning decision.

Conclusion

* In conclusion, it is considered that the proposal would not compromise neighbour amenities or local highway safety and therefore the application is considered acceptable and, as such, is recommended for approval.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3046** In accordance with submitted plans
- HA24** Provision of parking and servicing - when shown on plan

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

- 3944** Contaminated Land - Desk Study/Site Investigation
- 3946** Contaminated Land - Unexpected Contamination
- 3414** Fencing protection for existing trees
- 3450** Ecology
- 3923** Contaminated Land - Informative (Extensions)
- 2001** Application Approved Following Revisions
- 3994** Non-standard note - contribution
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/1004/F	CASE OFFICER: Chris Raine
LOCATION:	MATTISHALL Summer Meadows Site Off Mill Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr S Jay & Ms S Falquero Summer Meadows Site off Mill Road	
AGENT:	Overburys Solicitors 3 Upper King Street Norwich	
PROPOSAL:	C/U site from agricultural to residential, erect 1 static caravan & retention of 1 touring caravan	

KEY ISSUES

Principle of development
Highway safety

DESCRIPTION OF DEVELOPMENT

Change of use of agricultural land to residential use and the associated standing of a static caravan and a touring caravan which would be occupied by a traveller family. The development is accessed via a private drive which adjoins the nearby Mill Road.

SITE AND LOCATION

The site is in a rural location outside the village of Mattishall and the Settlement Boundary. It consists of a roughly square shaped parcel of land which is accessed off a long private drive which adjoins the Mill Road carriageway to the west. There is a mobile home and outbuildings to the south of the site which is served via the same private drive and to the east, along the same private drive, is a further traveller site. To the north is the residential curtilage of a neighbouring dwelling and to the west, beyond the Mill Road carriageway, are a collection of residential properties. The site is enclosed by timber fencing to its eastern, southern and western boundaries and hedging to the northern boundary.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0080/F - Retention of 1 static home, 2 touring caravans, laundry room 2 sheds, fences, access/splays parking, c/u ag land to res. - Approved.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

3PL/2010/0223/F - Retention of mobile unit for 1 travellers family permanent residential occupation & caravan for family room - Approved
3PL/2009/1112/F - Retention of mobile home - Refused
3PL/2006/1526/F - Siting of mobile home (renewal) - Temporary Approval
3PL/2002/0517/F - Mobile home (retrospective application) - Temporary Approval

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.02	The Travelling Community
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.16	Design
NPPF	Planning Policy for Traveller Sites

CONSULTATIONS

MATTISHALL P C -

The Parish Council objects to this application as it is outside the settlement boundary. The Parish Council does not wish to see an expansion of the site as it is inappropriate for this sort of development

NORFOLK COUNTY COUNCIL HIGHWAYS

In response to an earlier application on the adjacent site (3PL/2012/0080) concerns were raised regarding additional development being served by Mill Road, but at the time it was felt that adverse comment could be difficult to substantiate. However, this application seeks to add a further residential plot served off Mill Road and I consider the additional movements will further increase the likelihood for vehicles to meet on this narrow section of Mill Road, add to vehicle conflict and result in additional vehicles mounting the highway verge to facilitate passing. The proposed development intends to create one permanent residential gypsy pitch it is generally accepted such development is likely to engender similar levels of traffic movements to that of a permanent residential dwelling, namely some 8 - 10 weekday movements per unit.

Given the location of the site and the local services that exist in Mattishall I consider the majority of vehicle movements generated by this development are likely to leave the site and head south, and return to the site by the same route. I am of the opinion that to facilitate additional development Mill Road is in need of works in order to provide dedicated passing provision and therefore should your Authority be minded to support this application I would want to see the applicant fund some localised carriageway widening on the section of Mill Road to the south of the site to provide a passing area. Such works would require the applicant to enter into a legal agreement with the Highway Authority to ensure the works are designed and constructed to the specification of the Highway Authority. Should the applicant be accepting to this I would recommend conditions be appended to any subsequent permission.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ENVIRONMENTAL HEALTH OFFICERS

No objection.

MATTISHALL SOCIETY

Strongly object to the change of use of yet further agricultural land in Mill Road, Mattishall. For some years, this area has been blighted by temporary buildings and caravans and the Society considers that further development of this sort is unfair to those with permanent dwellings in Mill Road.

ENVIRONMENTAL PLANNING - No Comments Received

REPRESENTATIONS

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

Increased traffic; outside of the Settlement Boundary for Mattishall; it would set a precedent for similar proposals in the future; not allocated for this purpose by Breckland Council; make it difficult to sell properties in the future; detrimental to the character of the area; unacceptable noise from the on-site generator; floodlights on site are harmful and travellers should be treated in the same way as others by the planning process.

ASSESSMENT NOTES

* This application is referred to the Planning Committee at the request of the Ward Representative

Principle of Development

* Proposals for Gypsy and Traveller sites should be determined in accordance with Government policy contained in Planning Policy for Traveller Sites which was issued in March 2012, to be read in conjunction with the National Planning Policy Framework (NPPF) and relevant local planning policy including Policy CP2 of the adopted Breckland Core Strategy.

* Planning Policy for Traveller Sites sets out the Government's aims in respect of traveller sites, and these are as follows:

- that local planning authorities should make their own assessment of need for the purposes of planning;
 - to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;
 - to encourage local planning authorities to plan for sites over a reasonable timescale;
 - that plan-making and decision-taking should protect Green Belt from inappropriate development;
 - to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
 - that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
- for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies;

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;
- to reduce tensions between settled and traveller communities in plan-making and planning decisions;
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure;
- for local planning authorities to have due regard to the protection of local amenity and local environment.

* In respect of the Local Planning Authority decision-making process, the following points are considered to be particularly relevant:

- the existing level of local provision and need for sites;
- the availability (or lack) of alternative accommodation for the applicants;
- other personal circumstances of the applicant;
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
- that they should determine applications for sites from any travellers and not just those with local connections

* Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

* When considering applications, local planning authorities should attach weight to the following matters:

- effective use of previously developed (brownfield), untidy or derelict land;
- sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
- promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
- not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

* On a local level, Policy CP2 of the adopted Breckland Core Strategy states that within the period up to 2011 a permanent site for 15 pitches will be allocated along the A11 corridor via either the Site Specifics Policies and Proposals Development Plan Document or Area Action Plan dependent on location, and goes on to set out the criteria which would be used to identify suitable sites, these being as follows:

- The site is within reasonable distance to facilities and supporting services;
- The site is properly serviced;
- The site will not have an adverse impact on the character and appearance of the surrounding landscape.

Preference will be given to previously developed land or vacant and derelict land.

* It is evident that local policy is consistent with national planning policy guidance and it is considered that the key issues relate to the availability of sites, scale in the rural locality and

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

whether the site would have appropriate access to key local services and facilities eg schools, shops etc.

* Firstly, it is evident from the application documents that the applicants are from the travelling community and fall within the planning definition of gypsy or traveller. They have ceased travelling so as to provide a permanent base to meet the educational needs of three of their four children who attend the nearby Mattishall Primary School, which is confirmed as a justifiable reason to cease travelling yet still be considered a traveller or gypsy for the purposes of planning decisions as set out in the aforementioned document Planning Policy for Traveller Sites.

* Secondly, the Authority has not provided such a site via the Site Specifics Policies and Proposals Development Plan Document and the relevant Area Action Plan has yet to be formulated. Therefore it is clear that Breckland District Council does not have an adequate supply of available sites. In light of this acknowledged shortfall, it is considered appropriate in principle to consider this site for use by a travelling family.

* Thirdly, having accepted that there is a shortfall, it is necessary to ensure that the site in question is suitably located.

* The site is close to the village of Mattishall, which is defined as a Service Centre within Policy SS1 of the Breckland Core Strategy. This means that the site has access to a significant range of local facilities and supporting services.

* The site is set back and well screened from Mill Road which means that the static caravan and touring caravan are not unduly prominent within the rural landscape.

* In summary, it is considered that, in the light of the Local Planning Authority having no available sites, despite there being an acknowledged need, this site is appropriately located to cater for the needs of the qualifying travelling family who have sought permission and would not cause undue harm to the character and appearance of the area.

Highway Safety

* The Highway Authority has raised concerns regarding the ability of Mill Road to cater for the additional vehicle movements which would be brought about as a result of this development, by virtue of its restricted width. In order to address this concern, it is considered necessary for the applicant to provide some localised carriageway widening on the section of Mill Road heading south towards the village of Mattishall. If this course of action is pursued, appropriate planning conditions will be required in relation to the necessary upgrades.

Other issues

* The structures are sufficiently distanced from any other properties so as not to compromise light, outlook or privacy or lead to unacceptable noise and disturbance, given the residential use proposed.

Conclusion

* It is considered that the site is acceptable in strategic terms and would not cause undue harm to the amenities of the locality and the application is therefore recommended for approval.

RECOMMENDATION Planning Permission

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Landscaping scheme
- 3920** Removal of fencing
- 3920** Occupied by gypsies or travellers only
- 3920** Foul water drainage
- 3920** Surface water drainage
- 3920** Restriction on type and number of structures on-site
- 3920** Highway condition - access
- 3920** Highway condition - off site works
- 3920** Highway condition - off site works complete
- 3920** Landscaping scheme
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/1045/O	CASE OFFICER: Viv Bebbington
LOCATION:	GRISTON Former Quantrills Industrial Estate Church Road	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	SCWS c/o Agent	
AGENT:	Blubird Land & Planning Ltd 1 Norwich Road Watton	
PROPOSAL:	Redevelopment of site for 37 residential dwellings & 390m2 B2 industrial units & 270m2 of B1 Office Space	

KEY ISSUES

Principle
Development viability
Impact on residential amenity
Layout and design
Highway
Drainage

DESCRIPTION OF DEVELOPMENT

The proposal seeks outline planning permission for the redevelopment of a former industrial site for the erection of 37 dwellings, the retention of an existing building for use as B1 office (270m2) and the construction of light industrial units (390m2).

The proposal has been submitted with a layout plan however the application form states that all matters are reserved and therefore the layout is for illustrative purposes only.

The proposal seeks to establish the principle of the redevelopment of the site and establish the amount of development including number of dwellings, amount of affordable housing contribution, open space provision and employment use.

The indicative plan provides for the access immediately to the north of the existing businesses, an area of open space to form a new village green, the retention of an existing building immediately to the rear of adjacent businesses to the north of the site and the erection of new light industrial units directly to the east of existing business premises fronting the east of Church Road.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

SITE AND LOCATION

The site was formerly used for B2 industrial purposes for steel fabrication. It extends to some 1.82 ha and is located within the Settlement Boundary of Griston to the east of Church Road. The site has existing residential development to the north, south and to the west of Church Road. The site is positioned behind existing business uses, including the former village shop, fronting Church Road to the west. To the east are open fields.

EIA REQUIRED

No

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

CP.05	Developer Obligations
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.07	Employment Development Outside of General Employment Area
DC.11	Open Space
DC.14	Energy Efficiency
DC.16	Design
NPPF	With particular regard to Paras 49, 50, 111 & 123

CONSULTATIONS

GRISTON P C -

The Parish Council has no objections to the application in principal. However given the size of the development in a small village and the number of people attending the Parish Council meeting when the plans were discussed it is felt that a public meeting should be held attended by a Breckland Planning officer, the developer, and a representative from Anglian Water prior to any decision being made.

There are concerns that not all the roads will be tarmac finished or adopted but is it the opinion of the Parish Council that ALL the roads on the development should be tarmac to avoid the problem of potholes as on some other estates in the village. A management committee should be responsible for the maintenance of the green, grassed areas to the east of the development and any unadopted roads, and this must be tied into the deeds of each property.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

The Parish Council would also ask for a contribution from the developer towards the purchase of land for recreation purposes in the region of £10,000 per dwelling/enterprise unit.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection in principle subject to conditions

ASSET MANAGEMENT

There is an Anglian Water Sewage Treatment Works adjacent to the Southern boundary of the site, which is situated on BDC land, accessed from Longmeadow Close.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

ENVIRONMENT AGENCY

No objection subject to conditions

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

The applicants should aim to achieve Secured by Design (SBD*) award status for the whole of this development in terms of layout and physical security for Open Market properties as well as Social Housing element.

ECONOMIC AND STRATEGY OFFICER

Contributions based on the County Council's standard charges are sought in respect of education, fire hydrants and library provision.

ENVIRONMENTAL PLANNING

The site is located inside the Settlement Boundary and, as such, the provision of new market housing is considered to be acceptable in accordance with Policy DC2 Principles of New Housing, subject to other planning considerations. Griston is identified as a rural settlement within the spatial strategy and this site represents significant growth which would be more akin to a local service centre village.

Residential:

The application form states that 9 out of the 40 units will be for affordable housing. This represents a 22.5% affordable housing provision within the scheme, significantly lower than the requirements of Policy DC4. The 40% requirement and the precise mix may only be reduced where it is demonstrated to the satisfaction of the Council that existing physical constraints on the site, in addition to the 40% requirement will result in extraordinary costs which the development could not reasonably be expected to bear.

Employment:

The site already has an employment use with B2 units, and as such the retention of employment uses albeit with a variation in the use class on the site is considered acceptable.

HOUSING ENABLING OFFICER

Griston has an identified need for affordable housing with 245 applicants currently on the housing register.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

The provision of up to 40 dwellings would under Core Strategy Policy DC4 be required to provide 40% of the total dwellings as affordable housing. The application makes reference to 15% (6no) affordable dwellings of a 70/30 tenure split. This tenure split would not be acceptable to the strategic housing team. Robust evidence will need to be provided to justify the reduction in the percentage of affordable housing in the form of an open book financial appraisal. Initial discussions have been had between the Enabling Officer and applicant's agent and the principle of this viability assessment had been established. The assessment will need to be independently verified in the event that an agreement cannot be reached.

Any affordable dwellings will be required to be built to a minimum of the HCA's HQI design standards and will be required to be delivered without any form of public subsidy.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions

NORFOLK LANDSCAPE ARCHAEOLOGY

No objection

ANGLIAN WATER SERVICE

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Watton STW that at present has available capacity for these flows. The sewerage system at present has available capacity for these flows.

REPRESENTATIONS

The following is a summary of representations received:

Those in support - No objection provided the layout closely follows the indicative layout; site an eyesore - redevelopment should be encouraged; proposal would benefit the existing village facilities such as the Pub and reopening of the village shop

Those raising objections - Village already has a high proportion of affordable housing - No more than 22.5% is required; concern re type of business uses; concern re. additional traffic; existing business adjacent the proposed dwellings may cause noise issues

ASSESSMENT NOTES

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

Principle

* The site is located within the Settlement Boundary for Griston and therefore the principle of residential redevelopment of the site is considered acceptable and in accordance with Policy DC 2. Although a development of this scale is more appropriate in a local service centre, particularly given the lack of local facilities within the village, the site is a brownfield site which has been

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

vacant and left to deteriorate for many years. The Spatial Strategy has, in this instance, to be balanced against the positive benefits to the community of redeveloping the site for 37 residential units with limited B1 use.

Employment Use

* The proposal provides for the re-use of one of the commercial buildings within the site for office use and the construction of light industrial units to the rear of the existing businesses between the site and Church Street.

* The retention of an employment use on the site is acceptable in principle providing the use is restricted to B1 uses in the interest of local amenity.

Development viability

* It is proposed to provide 22.5% of the development as affordable housing. The applicant contends that the provision of 40% affordable housing, in line with Policy DC 4, would not produce a viable development. A full viability appraisal has been submitted to substantiate this contention. Independent advice on this matter has been sought from the District Valuer who has confirmed that a policy compliant scheme would be unviable. He has requested further information before he can confirm whether the applicant's offer can be accepted. A tenure mix of 70% rented and 30% intermediate has been agreed with the Housing Enabling Officer.

* On this basis it is recommended that, in this instance, an exception to policy be made and a lower amount of affordable housing be agreed. The final figure will be reported to members verbally following receipt of the final report from the District Valuer.

Residential amenity

* The Environmental Protection Officer has raised no objection subject to conditions to protect residential amenity.

* In terms of outlook, overlooking and impact on adjacent existing residents the proposed layout is indicative only and therefore these issues will be dealt with on the submission of reserved matters.

Layout and design

* Although the layout plan is indicative it does demonstrate that the site could be developed in a satisfactory manner and the amount of development would respect the form and character of the area whilst not compromising the amenities of the area.

Highways

* There are no issues raised in respect of highway safety, subject to conditions.

Drainage

* Anglian Water has confirmed that the sewerage system has the capacity for the development.

* The Environment Agency has raised no objection subject to a condition requiring a surface water drainage scheme to be agreed.

Other issues

* A condition has been imposed, in accordance with Policy DC 14 to ensure that the proposal provides 10% of its energy from renewable sources.

* Conditions in respect of land contamination issues in terms of both the risk to human health and controlled waters have been imposed.

Conclusion

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

* The application site is considered suitable for the proposed scale of residential and employment development. It relates well to the existing development. It is recommended that the application is approved subject to conditions and a Section 106 agreement. The Section 106 agreement would include obligations relating to affordable housing, education, public open space provision, contributions towards fire hydrants and library services.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3046** In accordance with submitted plans
- 3104** External materials to be approved
- HA01** Standard estate road conditions
- HA02** Standard estate road condition
- HA03** Road Surfacing
- A**
- HA20** Provision of visibility splays - conditioned
- HA39** Highway improvements-offsite A
- A**
- 3920** Non-standard noise protection condition
- 3920** Existing office retained as such
- 3920** Units to south B1 and B8
- 3522** No generators/air handling plant without consent
- 3506** No power tools outside building
- 3519** No loudspeaker etc outside the buildings
- 3920** Hours of use
- 3920** Non-standard external lighting condition
- 3920** Non-standard energy efficiency condition
- 3920** EA condition - contamination
- 3920** EA condition - verification report
- 3920** EA condition - unidentified contamination
- 3920** EA condition - surface water
- 3920** EA condition - groundwater
- 3920** EA condition - surface water drainage
- 9850** NOTE - In accordance with guidance
- 9850** Note - advisory notes
- 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
- 2001** Application Approved Following Revisions

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0055/F	CASE OFFICER: Viv Bebbington
LOCATION:	ATTLEBOROUGH Clifton Villa Station Road	APPN TYPE: Full POLICY: In Settlement Bndry ALLOCATION: No Allocation CONS AREA: Y TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs Stasiak Clifton Villa Station Road	
AGENT:	Mr Marck Funchal PD Architectural Services 2 Exchange Street	
PROPOSAL:	Demolish outbuilding & erect extension to garage for office & storage space & erect car port to front of garage	

KEY ISSUES

Impact on residential amenity
Impact on character and appearance of Conservation Area.
Design

DESCRIPTION OF DEVELOPMENT

The proposal seeks to demolish a small outbuilding to the rear of the dwelling and extend the existing garage to the rear to provide an office. The application also proposes the erection of a car port to the front of the garage.

SITE AND LOCATION

The site is located within the Attleborough Settlement Boundary and Conservation Area. The existing dwelling is an attractive semi detached Victorian Villa sited to the west of Station Road. To the north of the site is a large nursing home.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

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
DC.17	Historic Environment
NPPF	With particular regard to paras. 56 and 131

CONSULTATIONS

ATTLEBOROUGH TC -

No Objection. Comment: The application should be in keeping with the conservation area

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection

HISTORIC BUILDINGS CONSULTANT

No objection.

NATIONAL GRID - No Comments Received

REPRESENTATIONS

None

ASSESSMENT NOTES

* The application is referred to Planning Committee as the applicant is a member of the Council.

Impact on neighbouring properties

* The garage is positioned on the northern boundary of the site adjoining a nursing home. There is a high laurel hedge between the two properties. The extension to the garage, to provide an office, is single storey. The ridgeline follows the existing garage and a hipped roof reduces the scale of the extension. The size of the proposal is such that it would not impact on the amenity of the neighbouring property. The proposal is considered in accordance with Policy DC 1.

Impact on the character and appearance of the Conservation Area

* The car port has been sympathetically designed to respect the character of the dwelling. It has a pitched roof to match the garage and is of a lightweight structure consisting of 4 upright steel posts and a glazed roof. The garage is set back from the front of the dwelling. The proposed carport would sit level with the front of the dwelling. The structure is screened from the property to the north by a tall hedge.

* The demolition of the outbuilding and the proposed extension to the garage are to the rear of the property and therefore would not be visible from Station Road.

* It is considered the proposal preserves the character and appearance of the Conservation Area.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

The Historic Buildings Consultant has raised no objection. The proposal is considered to be in accordance with Policy DC 17.

Design

* The size, scale and external appearance are considered appropriate and respect the existing dwelling. The removal of part of the outbuilding would improve the outlook from the existing dwelling. The proposal is considered in accordance with Policy DC 16.

Other issues

* The proposal is considered acceptable in terms of highway issues.

Conclusion

* The proposal is of an appropriate scale and external appearance. It has been designed to respect the character and appearance of the Conservation Area and protect the amenities of the adjacent property. The proposal is considered in accordance with policy and is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- MT01** External materials to match existing
- 3924** Precautionary Informative Gas Protection Measures
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 3924** Precautionary Informative Gas Protection Measures

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	5	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0075/O	CASE OFFICER: Chris Raine
LOCATION:	FOXLEY Land off Mill Road (Land between Cyncoed and Holly Trees)	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs N Whybrow Virginia House Mill Road	
AGENT:	Mr Harvey Brown Bullen Architectural Designs Our Place	
PROPOSAL:	Erection of detached single storey dwelling and double garage	

KEY ISSUES

Principle of development

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission with all matters reserved for a single storey dwelling and double garage. No indicative plans have been provided which could show potential siting, size or design of the proposed unit, however, the Design and Access Statement indicates a three bedroom dwelling is sought. The site would be accessed via the adjacent Mill Road carriageway.

SITE AND LOCATION

The site consists of a rectangular shaped parcel of land which forms part of a larger field which has historically been used for agricultural purposes. The site lies to the north of the Mill Road carriageway with existing residential development to the north, west and south-east. The site lies outside the Settlement Boundary.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

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.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
NPPF	With particular regard to paras. 7 and 55

CONSULTATIONS

FOXLEY P C -

The Council policy is to support the CP14 guidelines. Other proposed development has been refused on to Mill Road and being outside the village envelope. 2 Councillors objected and 2 Councillors abstained.

TREE & COUNTRYSIDE CONSULTANT

The proposal land is currently suitable for foraging great crested newts. Any application for reserved matters must be accompanied by a consideration of ponds within 100m and their potential to hold great crested newts. This may be restricted to a derivation of a 'Habitat Suitability Index' and only need proceed to a full survey if a high index is found.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection subject to a condition.

REPRESENTATIONS

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

It is a Greenfield site; outside of the Settlement Boundary; would set a precedent for more schemes of a similar nature; the access would disrupt the streetscene; there are surface water drainage issues locally; loss of outlook and personal circumstances are insufficient justification to allow the application.

Three letters of support have also been received.

A petition signed by a large number of local residents supporting the application was submitted

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

by the agent with the application

ASSESSMENT NOTES

* This application is referred to the Planning Committee at the request of the Ward Representative

* Members' attention is drawn to application 3PL/2013/0076 also included on this agenda which relates to the erection of a dwelling on adjacent land.

Principle of Development

* The site lies outside of any defined Settlement Boundary and, as such, there is a general opposition to new dwellings in such areas unless there are planning justifications to depart from this approach eg agricultural workers' dwellings. In this instance, the applicants put forward the case that they have lived in and been active members of the Foxley community for a significant period of time and the lack of suitable, available and appropriately priced dwellings to meet their personal needs. Furthermore, they indicate they are agreeable to any form of restrictions relating to occupancy and in the event that they do not occupy the property in the future that it be offered to a "local person/s".

* The applicants have provided no tangible evidence to back up the claim that there have been no single storey dwellings available within Foxley in the present or recent past. Notwithstanding this, and whilst sympathetic to the lack of single storey dwellings within the village at a price that they can afford and their willingness to have restrictions placed on occupation and future occupation, these reasons do not carry sufficient weight to outweigh the strategic objection to new dwellings in locations outside of the settlement boundary.

* It is also important to stress that Foxley has very limited access to local facilities and the site is duly considered to be unsustainably located and would be almost entirely reliant upon the private car to make trips in association with accessing services and facilities.

* On this basis there is strategic planning objection to this proposal.

Other issues

* Given that the application has all matters reserved it is not possible to provide a detailed assessment of the proposal with regard to the impact upon the character and appearance of the area, neighbour amenity or highway safety.

However, it is apparent that any resulting dwelling would result in the loss of an open space within this part of the village which makes a positive contribution towards the character and appearance of the locality.

The Highway Authority has confirmed that it has no objection, the Tree and Countryside Consultant has confirmed there is no objection in principle at this outline stage and the Contaminated Land Officer has confirmed no objection subject to a condition.

Conclusion

* It is evident that the site is outside of any defined Settlement Boundary and the application provides no significant material reasons to outweigh the locational shortcomings of the site. Furthermore, the proposal would be detrimental to the character and appearance of the locality. On this basis the application is recommended for refusal.

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

9900 Outside settlement boundary

9900 Unsustainable location

9900 Detrimental to character and appearance of the streetscene

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	6	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0076/O	CASE OFFICER: Chris Raine
LOCATION:	FOXLEY Land off Mill Road (Land between Cyncoed bungalow and Holly Trees)	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs I Powley Longview Mill Road	
AGENT:	Mr Harvey Brown Bullen Architectural Designs Our Place	
PROPOSAL:	Erection of detached single storey dwelling and double garage	

KEY ISSUES

Principle of development

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission with all matters reserved for a single storey dwelling and double garage. No indicative plans have been provided which could indicate potential siting, size or design of the proposed unit, however the Design and Access Statement indicates a three bedroom dwelling is sought. The site would be accessed via the adjacent Mill Road carriageway.

SITE AND LOCATION

The site consists of a rectangular shaped parcel of land which forms part of a larger field which has historically been used for agricultural purposes. The site lies to the north of the Mill Road carriageway with existing residential development to the north, west and south-east. The site lies outside the Settlement Boundary.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

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.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
NPPF	With particular regard to Paras. 7 and 55

CONSULTATIONS

FOXLEY P C -

The Council's policy is to support the CP14 guidelines. Other proposed development has been refused on to Mill Road and being outside the village envelope. 2 Councillors objected and 2 Councillors abstained.

TREE & COUNTRYSIDE CONSULTANT

The application site respects the protected trees to the west.

The application site is currently suitable for foraging great crested newts. Any application for reserved matters must be accompanied by a consideration of the pond in Cyncoed and its potential to hold great crested newts. This may be restricted to a derivation of a 'Habitat Suitability Index' and only need to proceed to a full survey if a high index is found.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection subject to a condition.

REPRESENTATIONS

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

It is a Greenfield site; outside of the Settlement Boundary; would set a precedent for more schemes of a similar nature; the access would disrupt the streetscene; there are surface water drainage issues locally; loss of outlook and personal circumstances are insufficient justification to allow the application.

One letter of support has also been received.

A petition signed by a large number of local residents supporting the application was submitted

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

by the agent with the application

ASSESSMENT NOTES

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

* Members' attention is drawn to application 3PL/2013/0075/O, also included on this agenda, which relates to the erection of a dwelling on adjacent land.

Principle of Development

* The site lies outside of any defined Settlement Boundary and, as such, there is a general opposition to new dwellings in such areas unless there are planning justifications to depart from this approach eg agricultural workers' dwellings. * In this instance, the applicants put forward the case that they have lived in and been active members of the Foxley community for a significant period of time and the lack of suitable, available and appropriately priced dwellings to meet their personal needs. Furthermore, they indicate they are agreeable to any form of restrictions relating to occupancy and in the event that they do not occupy the property in the future that it be offered to a "local person/s".

* The applicants have provided no tangible evidence to back up the claim that there have been no single storey dwellings available within Foxley in the present or recent past. Notwithstanding this, and whilst sympathetic to the lack of single storey dwellings within the village at a price that they can afford and their willingness to have restrictions placed on occupation and future occupation, these reasons do not carry sufficient weight to outweigh the strategic objection to new dwellings in locations outside of the Settlement Boundary.

* It is also important to stress that Foxley has very limited access to local facilities and the site is duly considered to be unsustainably located and would be almost entirely reliant upon the private car to make trips in association with accessing services and facilities.

* On this basis there is a strategic planning objection to this proposal.

Other issues

* Given that the application has all matters reserved, it is not possible to provide a detailed assessment of the proposal with regard to the impact upon the character and appearance of the area, neighbour amenity or highway safety.

However, it is apparent that any resulting dwelling would result in the loss of an open space within this part of the village which makes a positive contribution towards the character and appearance of the locality.

The Highway Authority has confirmed there is no objection, the Tree and Countryside Consultant has confirmed there is no objection in principle at this outline stage and the Contaminated Land Officer has confirmed no objection subject to a condition.

Conclusion

* It is evident that the site is outside of any defined Settlement Boundary and the application provides no significant material reasons to outweigh the locational shortcomings of the site. Furthermore, the proposal would be harmful to the character and appearance of the locality. On this basis the application is recommended for refusal.

RECOMMENDATION

Refusal of Outline Planning Permission

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

REASON(S) FOR REFUSAL

9900 Outside settlement boundary

9900 Unsustainable location

9900 Detrimental to the character and appearance of the streetsce

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	7	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0106/O	CASE OFFICER: Jayne Owen
LOCATION:	MILEHAM SPK Engineering The Old Saw Mill Back Lane	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr S Knowles c/o Agent	
AGENT:	CJS Planning & JWM Design Down Ampney Well Hill	
PROPOSAL:	Erection of 14 dwellings (Outline)	

KEY ISSUES

Principle of development
Design and layout
Amenity
Landscaping
Highways
Contaminated land

DESCRIPTION OF DEVELOPMENT

The application seeks outline planning permission with all matters reserved to construct 14 dwellings on 0.4 hectares of land currently occupied by a light engineering business. Five of the dwellings are proposed to be affordable. The application includes a Design and Access Statement, contamination report desk study and a personal statement from the applicant.

SITE AND LOCATION

The site lies outside the Settlement Boundary of the village of Mileham and is situated to the north west of the village on the south side of Back Lane. The site is occupied by an existing building which is a large open portal framed structure with corrugated cladding to walls and roof. The remainder of the site predominantly comprises a concrete slab for parking and HGV loading/unloading.

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

RELEVANT SITE HISTORY

3PL/2006/0001/O - Residential development - Refused 1 February 2006
3PL/2005/0936/O - Residential development - Approved 27 July 2005
3PL/2003/1597/CU - Change of use from B2 to B8 storage and distribution to telegraph poles (retrospective)- Approved 11 November 2003

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.11	Protection and Enhancement of the Landscape
CP.12	Energy
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.14	Energy Efficiency
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paras. 17, 47, 49 and 55

CONSULTATIONS

MILEHAM P C - No Comments Received

NORFOLK COUNTY COUNCIL HIGHWAYS

Recommends refusal on the following grounds:

The unclassified road network serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width, substandard construction and restricted visibility at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety.

ENVIRONMENT AGENCY

Planning permission could be granted to the proposed development as submitted if the planning conditions are included in relation to land contamination, foul water drainage, surface water drainage. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

RAMBLERS ASSOCIATION: NORFOLK AREA

We have no objection to the principle of housing development, but note that it is placed opposite the point at which Mileham FP3, which is also the route of the Nar Valley Way, comes out onto Back Lane, so walkers coming south will be looking at this development for some little way as they approach Mileham. (They will then turn east along Back Lane.) We would therefore wish to be sure that the detail is pleasing to the eye for the many users of this Norfolk Trail.

NATURAL ENGLAND

No objection subject to no issues arising in respect of protected species and local landscape.

ENVIRONMENTAL PLANNING

The application proposes 14 new dwellings (9 of which are to be market dwellings) on land outside of the settlement boundary in Mileham. As the site is located outside of the settlement boundary, the land is classified as countryside within the planning system. The relevant planning policy for this application is contained within Policy CP14 Sustainable Rural Communities of the adopted Core Strategy and Development Control Policies DPD. I can see no justification included within this application as to how the site meets any of criteria a-f inclusive, of Policy CP14 which would see residential development as acceptable outside of settlement boundaries.

The planning statement refers to the lack of a five year supply of deliverable housing land within Breckland, as required through the NPPF. It is acknowledged that Breckland can not currently demonstrate a five year supply. Through the Core Strategies Spatial Strategy, Mileham is classified as a rural settlement within the Districts settlement hierarchy. The settlement hierarchy does not identify the village for housing growth. Whilst the NPPF at paragraph 49 states that in the absence of a five year supply of land, housing policies should be considered to be not up to date. In regard to the spatial strategy however, it is considered that this meets the presumption in favour of sustainable development. As such, although Breckland does not have a five year supply of deliverable housing land, the fact that Mileham is classified as a rural settlement without any planned additional housing allocations through the Core Strategy remains relevant to this application.

The planning statement submitted in conjunction with this application suggests that the site is in a sustainable location due to its proximity to the service centre village of Litcham. It is worth noting that the site lies over 2.5km from Litcham village.

Notwithstanding the key matters of principle set out above, I would also wish to refer you to Policy DC4 Affordable Housing Principles within the adopted Core Strategy. As noted by the housing enabling officer, the application proposes five affordable housing units, which would be below the 40% level set through the policy.

HOUSING ENABLING OFFICER

The application sits outside of the development boundary and therefore should be treated as an exception site with 100% affordable housing.

If the application is accepted due to the shortage of a five year land supply then it will be subject to a 40% on-site provision of affordable housing. The application indicates 5no. affordable dwelling which equates to 35.7%. The adopted affordable housing policy indicates that upward

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

rounding should be applied where a fractional provision is required. Therefore we would be seeking 6no. affordable dwellings. We will seek a number of smaller dwellings for rent to match the need of the area.

Mileham has an identified need for affordable housing and therefore would expect to see at least 70% of the affordable dwellings provided as affordable rented.

The dwellings will be required to be built to at least the minimum HCA housing quality indicators and code for sustainable homes level 3 or any other such environmental rating as agreed with the Council.

CONTAMINATED LAND OFFICER

Conditions and informative recommended should planning permission be granted.

NORFOLK COUNTY COUNCIL PUBLIC RIGHTS OF WAY OFFICER - No Comments Received

REPRESENTATIONS

Representations have been received raising the following issues:
Objections relate to visual intrusion; precedent and drainage.

Comments in support relate to need to support village facilities and provision of affordable housing; reduce heavy vehicle movements on the local road network and visual improvements.

ASSESSMENT NOTES

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

Principle of development

* The application seeks planning permission to establish the principle of constructing 14 new dwellings, 9 of which are to be open market dwellings with five being affordable, on a brownfield site outside the Settlement Boundary of the village of Mileham. Given the shortfall in the five year housing land supply, the development will attract a requirement for 40% (6) on-site provision of affordable housing whereas 37.5% (5) has been offered.

* Core Strategy Policy CP14 Sustainable Rural Communities is of particular relevance to the proposal. CP14 requires that in villages not identified for a specific level of growth in the settlement hierarchy, residential development will only be permitted where there are suitable sites available inside the limits of a defined settlement boundary; or it is an affordable housing scheme for local needs in accordance with the Council exceptions site policy; or it involves the appropriate re-use of a rural building; or it provides a site for gypsy and travellers or travelling show people; or it is a dwelling required in association with existing rural enterprises where it complies with the requirements of national guidance in relation to new dwelling houses in the countryside; or it is a replacement of an existing dwelling. The proposed development does not meet any of these

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

specified criteria.

* Core Strategy Policy DC11 requires all new development to provide a contribution towards outdoor playing space and this requirement is therefore applicable to this application

* Paragraph 17 of the National Planning Policy Framework (NPPF) is also relevant to this proposal in that one of the core land-use planning principles which should underpin both plan-making and decision-taking is identified as being to encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value.

* It is, however, worthy of note that this was also a key principle of previous national planning policy which stated that priority should be given to the re-use of previously-developed (brownfield) sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

* In addition, whilst personal circumstances are not normally a planning consideration the applicant, who owns the site, finds the current portal building, which was built in the 1970s and designed for high production timber conversion, and other buildings to be beyond economic repair and unsightly providing poor presentation to clients. This development would enable the owner to relocate this family run business to more presentable premises that are closer to main arterial roads and commercial centres such as the A47 at Dereham

* The applicant's justification for the development also makes reference to the lack of a five year supply of deliverable housing land within Breckland as required through the NPPF and the Council accepts that Breckland cannot currently demonstrate a five year supply.

* Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. In this instance the Council's spatial strategy classifies Mileham as one of a number of small rural villages with few, or in some cases, no local services. These settlements are considered not capable of sustaining consequential growth as many are completely reliant on higher order settlements for services and facilities. The Sustainability Appraisal has identified that these settlements do not represent a sustainable option for significant expansion.

* Whilst the submitted planning statement suggests the site is sustainable due to its proximity to the service centre village of Litcham, it should be noted that the site lies over 2.5 km from the village of Litcham.

* It should also be noted that the application site is surrounded by open land and that the grant of planning permission may set a precedent for similar residential proposals on adjoining land.

Design and layout

* The indicative layout shows a mix of single and two storey detached, semi-detached and terraced dwelling types which is in keeping with the general mix of architectural styles in the village and is considered acceptable in principle. Appearance and materials are reserved matters for consideration should the principle of the redevelopment of this site prove acceptable however the agents propose a traditional palette of external materials to be agreed with the Local Planning Authority.

Landscaping

* This is a reserved matter for consideration should the principle of the redevelopment of this site be established through the grant of outline planning permission, however, the applicants state hard and soft landscaping with respect to the proposal would be sympathetic to the location.

Amenity

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

* There is currently one dwelling immediately adjoining the site to the east of the site with allotment gardens to the rear of the site. Any potential impact on existing residential amenity by way of overlooking, overshadowing, loss of privacy outlook and privacy would be a matter which would be considered at the details (reserved matters) stage. In terms of the visual appearance of the site, it is considered that this would be improved and the redevelopment of the site for housing and would secure the cessation of the current commercial use which could be viewed as a benefit to the amenities of existing nearby residential dwellings.

Highways

* Access to the site is from Back Lane via a centrally positioned access point. It is proposed that a new 1.5 m wide footpath on the south side of Back Lane extending east is provided to afford pedestrian access from the site to the village. The footpath is proposed to be 100 m long and to County standards. The applicants contend that the loss of the heavy articulated lorries and goods vehicles which regularly access the site via Back Lane in connection with the existing business would be a benefit. Norfolk County Council Highways have been consulted on the proposal. They comment that, whilst the carriageway of Back Lane has sufficient width adjacent to the site, the majority of the remaining length of Back Lane and Tittleshall Road are not wide enough for two vehicles to pass. Additionally the Back Lane/Tittleshall Road junction has substandard visibility. Previous planning permissions were also recommended for refusal due to a lack of a safe pedestrian route linking the site to existing services. It is noted that this application proposes that a 1.5 m wide footpath be provided on Back Lane to the west of the site, however this section of carriageway is very narrow which would therefore be unacceptable without also widening the road to 4.8 m. Furthermore, the footway would not link with the existing footpath at Burghwood Close.

* Notwithstanding the objections above, it is appreciated that this site has an existing lawful use which has a traffic generation in its own right. However, it is expected that residential development in a location such as this would be very car dependent due to the lack of employment opportunities etc within the village of Mileham. Should the District Council find that the redevelopment of this site for residential purposes is acceptable, Norfolk County Council Highways would seek to limit it to a scale comparable in traffic generation terms to the existing use. Whilst it is noted that the applicant states the current use generates approximately 84 movements per day, there is no evidence to support this. Even if it could be demonstrated to be accurate this would result in a maximum development of 9-10 dwellings.

Contaminated Land

* No objection has been raised in respect of contaminated land issues subject to conditions requiring a desk study/site investigation.

Conclusion

* It is acknowledged that the site is a brownfield site and that the visual appearance of the site would be improved as a result of its redevelopment for housing and that it would secure the cessation of the current commercial use which could be viewed as a benefit to the amenities of existing nearby residential dwellings.

* The personal circumstances of the applicant are also acknowledged in that he would like to relocate his business to more suitable premises.

* However, notwithstanding that Breckland Council does not have a five year supply of deliverable housing land, the fact that Mileham is classified as a rural settlement without any planned additional housing allocations through the Core Strategy remains relevant to this application.

* The application, if permitted, would be contrary to Paragraph 55 of the NPPF and Core Strategy Policy CP14 of the Breckland Adopted Core Strategy and Development Control Document 2009

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

which seek to restrict development outside the built up limits of existing towns and villages except in exceptional circumstances.

* Further, notwithstanding that the NPPF requires local planning authorities to give favourable consideration to housing proposals where an up to date five year supply of deliverable housing sites cannot be demonstrated, the Council's Spatial Strategy for growth is still considered to be in accordance with the NPPF. The Strategy identifies specific areas where, if a site can be demonstrated to be deliverable, available and suitable, it should be considered favourably. The application site is not located in one of these areas and has a lack of services and poor connectivity to services. The proposal, if permitted, would therefore not represent sustainable development in accordance with the aims and objectives of paragraphs 47 and 55 of the NPPF.

* In addition, the unclassified road network serving the site is considered by Norfolk County Council Highways to be inadequate to serve the development proposed by reason of its restricted width, substandard construction and restricted visibility at adjacent road junctions and therefore if development were permitted it would be likely to give rise to conditions detrimental to highway safety.

* Refusal is recommended.

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

9900 Outside Settlement Boundary

9900 Unsustainable location

9900 Road network inadequate to serve the development proposed

2002 Application Refused Following Discussion - No Way Forward