

Item No.	Applicant	Parish	Reference No.
1	Ms J Wright	MATTISHALL	3PL/2012/1165/F
2	The SH1 Consortium	SHIPDHAM	3PL/2013/0095/O
3	Taylor Wimpey East Anglia	SWAFFHAM	3PL/2013/0110/F
4	Mr Basil Todd	DEREHAM	3PL/2013/0115/F
5	Mr Basil Todd	DEREHAM	3PL/2013/0117/CA
6	Mr R Hurn and Mrs P Williams	FRANSHAM	3PL/2013/0138/F
7	Mr & Mrs A Hales	HARLING	3PL/2013/0214/F
8	Rocklands Mere Fishery	ROCKLANDS	3PL/2013/0261/F

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

ITEM	1	RECOMMENDATION : REFUSAL
REF NO:	3PL/2012/1165/F	CASE OFFICER: Chris Raine
LOCATION:	MATTISHALL Plot adjacent to 6 South Green	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: Sites with PP 4 HSG CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Ms J Wright 4 Beck Farm Barns Billingford	
AGENT:	JWM Design 23 Litcham Road Mileham	
PROPOSAL:	Demolition of existing outbuildings and erection of dwelling and garage	

KEY ISSUES

Principle of development
Affordable housing contribution
Visual impact
Neighbour amenity

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of a detached two storey dwelling with attached single storey element which includes garaging. The development would be facilitated through the demolition of an existing former agricultural building. The site is accessed via a private access drive to the north-west of the site.

SITE AND LOCATION

The application site is located within the village of Mattishall, inside the Settlement Boundary, and consists of a redundant former agricultural building which was formerly part of the curtilage to 6 South Green, a detached two storey dwelling. To the north and north-east of the site is a private access drive, beyond which are the 3 dwellings it serves. To the south-east is a neighbouring dwelling served by a different private drive and to the south-west and north-west are existing dwellings which front onto the public highway known as South Green.

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

RELEVANT SITE HISTORY

3PL/2005/0762 - Five new houses - Withdrawn 10/6/2005

3PL/2006/0319/F - Demolition of existing dwelling and erection of 5 dwellings and garages - Refused 17/5/2006

3PL/2007/1323 - Proposed 4 no. dwellings and garages and extension/alterations to existing dwelling and garage - Approved 17/10/2007

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.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.16	Design
NPPF	With particular regard to paragraphs 7, 8, 9, 49, 50 and 56.

CONSULTATIONS

MATTISHALL P C -

Overdevelopment of the site.

TREE & COUNTRYSIDE CONSULTANT

No objection subject to a condition.

CONTAMINATED LAND OFFICER

No objection subject to a condition.

ENVIRONMENTAL HEALTH OFFICERS (DRAINAGE)

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

ENVIRONMENTAL HEALTH OFFICER

No objection.

REPRESENTATIONS

Objections have been received, a summary is as follows:

There are already too many properties on the development; too cramped; too big; loss of privacy and light.

ASSESSMENT NOTES

* The application is referred to the Planning Committee at the request of the Ward Member due to issues surrounding affordable housing contributions and Council policy in the Adopted Core Strategy.

Principle of Development

* The site lies within the Settlement Boundary for Mattishall and, as such, a residential development is acceptable in principle, in accordance with the aims of the National Planning Policy Framework and Policy DC2 of the Breckland Core Strategy.

Affordable Housing Contribution

* At the time of submission of this application, it was apparent from Certificate A of the application form that the land was owned by the individual/business who/which developed the adjacent site (3PL/2007/1323/F). When considering the four dwellings approved under 3PL/2007/1323/F and this proposed dwelling, the total number of dwellings (5) would trigger the need for an affordable housing contribution in line with Policy DC4 of the Breckland Core Strategy which confirms the following:

"The policy will be applied to all sites and proposals which, individually or as part of a wider but contiguous site in the same ownership and/or control, could accommodate a level of development that would meet the above thresholds."

* In light of this, a request was made for a financial contribution towards off-site affordable housing provision. This request was unsuccessful and the site owner, as referred to above, has now subsequently sold the site to the applicant. This has led the agent to claim that this action now means that the Local Planning Authority cannot reasonably seek the aforementioned contribution, as it no longer triggers the requirements of Policy DC4 in that the site owner is different from that which gained the previous permission (3PL/2007/1323/F). It is considered that this has been an attempt to by-pass the requirements of Policy DC4 and is therefore unacceptable and, as such, the proposal fails to comply with the requirements of Policy DC4.

Visual Impact

* It is evident that the scheme has been designed so as to reflect the scale, height and appearance of the adjacent dwellings approved under 3PL/2007/1323/F and it is considered that this approach has resulted in a development which is compatible with its surroundings. It is also considered that the scheme provides for sufficient private amenity space to accompany the proposed dwelling.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

Neighbour amenity

* It is considered that the separation distances between the proposed dwelling and the existing neighbouring dwellings, when considering the overall scale, height and mass, are such that no significant loss of light or outlook would occur. Furthermore, the separation distances referred to above, when considering the position of habitable room openings, are such that no significant overlooking would occur.

Other issues

* The Highway Authority has confirmed that they have no objection subject to conditions.

* The Contaminated Land Officer has confirmed that they have no objection subject to a condition.

* The Tree and Countryside Consultant has confirmed that there is no objection subject to a condition relating to tree protection measures being attached to any subsequent permission.

Conclusion

* In conclusion, it is considered that the refusal to make a financial contribution towards affordable housing as requested is contrary to the provisions of Policy DC4 of the Breckland Core Strategy and the application is therefore recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Failure to provide requisite affordable housing contribution

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0095/O	CASE OFFICER: Jemima Dean
LOCATION:	SHIPDHAM The Old Waggon & Horses Chapel Street	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: Site Allocation CONS AREA: Y TPO: N LB GRADE: N
APPLICANT:	The SH1 Consortium c/o Agent	
AGENT:	Mr Ian Whettingsteel EJW Planning Limited Lincoln Barn	
PROPOSAL:	Residential accommodation public open space & assoc infrastructure (all matters reserved except access)	

KEY ISSUES

Principle of development
Impact upon character and appearance of the area
Contributions
Neighbour amenity
Highway safety
Trees and biodiversity

DESCRIPTION OF DEVELOPMENT

- * The application seeks outline planning permission for up to 90 dwellings. Although an illustrative masterplan has been provided as part of the application with a suggested layout, all matters except for access are reserved.
- * The proposed residential development would occupy an area of 3.79 hectares; by the suggested layout this would comprises 6 x 5 bed dwellings, 16 x 4 bed dwellings, 22 x 3 bed dwellings, 22 x 2 bed dwellings and 24 x 1 bed flats.
- * Vehicular access to the site would be via a priority T-junction with the A1075 Chapel Street. The junction would be located in a similar position to that currently provided, albeit via a formal arrangement with an upgraded surface.
- * The indicative layout plan shows an area of public open space of 0.85 hectares to the east of the site which would include a children's play area (LEAP Local Equipped Area for Play) and structural landscaping.
- * The outline application makes provision for 0.18 hectares of land to be set aside for a new doctors' surgery, 850 sqm for the surgery building and 950 sqm for car parking to serve the surgery.
- * The application is supported by various technical reports and evidence, including a Planning Statement, Design & Access Statement, Ecological Survey, Landscape Report, Transport

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

Statement, Archaeological Desk Based Assessment, Flood Risk Assessment, Phase I Ground Contamination Assessment Report and a Viability Report.

* Heads of Terms for a Section 106 Agreement relating to the site have been provided. Planning obligations would relate to affordable housing, public open space and contributions towards schools and libraries.

* The application site forms a large part of the wider site identified for residential development under Policy SH1 of the Adopted Site Specific Policies and Proposal Development Plan Document. The total land allocated under Policy SH1 comprises 4.2 hectares. The remaining 0.41 hectare makes up a parcel of land proposed for retail development subject to a future separate planning application.

SITE AND LOCATION

The site comprises a broadly rectangular parcel of land of 3.79 hectares located in the centre of Shipdham adjacent to and north of the Settlement Boundary and Conservation Area boundary. The land currently consists of a coal yard, a derelict garden nursery area, associated buildings, and arable land.

The western half of the northern boundary comprises a row of small/medium mature deciduous trees; there is no boundary treatment along the eastern half of the northern boundary. To the east the site is unbounded other than to the telephone exchange site where the boundary comprises 1 metre chain link fencing. To the south the site is bounded by garden fencing, largely 1.8 metres, beyond which are the rear gardens and dwellings of residential properties along the A1075 Chapel Street. The site is also bounded to the south by existing employment land that will make up the application site of the retail development, subject of a separate planning application. The western boundary comprises a mixture of deciduous trees and mature large evergreen conifers, providing effective screening in this direction.

To the north east the site is open to further arable land. To the west beyond the boundaries land comprises fields in use for equestrian grazing. The site is generally level and flat and consists of approximately 50% brownfield and 50% arable land. Access to the site is via Chapel Street.

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

CP.01	Housing
CP.05	Developer Obligations
CP.09	Pollution and Waste
CP.10	Natural Environment
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
NPPF	With particular regard to Paragraphs 9, 47, 52 and 55.
SH1	Residential Allocation - Shipdham

CONSULTATIONS

SHIPDHAM P C -

The PC had the following comments:

1. There are concerns about the additional load the development will put on the sewage system; there are already problems with the sewage system in that area of Shipdham.
2. There are similar concerns about the additional load the development will put on the surface water drainage system; there are already frequent problems with the flooding in that area of Shipdham.
3. There are concerns about the proximity of the entrance to the site to the pedestrian crossing.

ENVIRONMENT AGENCY

No objection subject to conditions.

NCC HISTORIC ENVIRONMENT OFFICER

Reconsidering the proposed development it is feasible for the archaeological evaluation to be undertaken prior to the submission of reserved matters, we strongly advise the applicant to undertake the archaeological evaluation at the earliest possible stage in the preparation of any reserved matters application so that the results can be taken into consideration when designing the final layout of the proposed development. No objection to outline permission subject to conditions.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

No objection subject to conditions.

NORFOLK COUNTY COUNCIL PLANNING

This is an outline application and as such there is some uncertainty as to the precise level and type of development that may eventually come forward. The response is based on a set of standard charges taking into account any existing spare capacity. Obligations include Fire Hydrants, Library Provision, Highways and Transport Provision and Education. Future maintenance of biodiversity areas should also be considered.

HISTORIC BUILDINGS CONSULTANT

No objection.

TREE & COUNTRYSIDE CONSULTANT

No objection subject to conditions.

ENVIRONMENTAL PLANNING

No objection, comments relating to affordable housing and guidance on reserved matters application.

ASSET MANAGEMENT

Provision should be made for the Council to be able to opt out of the open space adoption.

CONTAMINATED LAND OFFICER

Object until revised conceptual site model complemented by a Phase II Intrusive Investigation and appraisal submitted by the developer and approved by the LPA. Notwithstanding the objection conditions and informatives recommended.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

None.

ASSESSMENT NOTES

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

Principle of development

* The application site comprises 3.79 hectares of the site allocated for residential development under Policy SH1 within the Site Specific Policies and Proposals Development Plan Document Adopted January 2012. With this in mind the principle of residential development is accepted.

* An area proposed for retail development that makes up the rest of the allocated site will be the

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

subject of a separate application. This is specifically referred to in part a of Policy SH1.

Impact upon the character and appearance of the locality

* Whilst the application is in outline form and seeks to deal with access only, a site layout and illustrative masterplan proposing up to 90 dwellings has been submitted as part of the application. Policy SH1 allocates the land for 85 dwellings and it is considered the increase in units remains in broad conformity with this policy.

* The layout provides an informal loose development with a loop road providing access to the outer residential properties and shared surface roads toward the centre of the application site. A mix of 5, 4, 3, and 2 bed dwellings and 1 bed flats are illustrated, all limited to two storey. The masterplan illustrates that the site has potential to accommodate this number and mix of dwelling units in an acceptable layout.

* An area of land of 0.85 hectares is shown to the east of the application site for public open space allowing the provision of native tree and shrub planting, to provide a more integrated edge to the settlement. Existing perimeter trees and hedgerows are shown to be retained. These provisions are specifically referred to in parts e and f of Policy SH1.

Access

* There are no issues raised by the Highway Authority in respect of highway safety, subject to conditions. Parts a and b of Policy SH1 specifically refer to the provision of a safe highway, pedestrian and cycle access to Chapel Street. The application proposes access to the proposed dwellings via a priority T-junction with the A1075 Chapel Street, located in a similar position to that provided currently albeit via a more formal arrangement. The carriageway would be 6.0m in width, with 1.8m wide footways provided on each side. The Highways Authority is happy with this arrangement recommending any permission shall include conditions.

* Part c refers to the provision of a safe pedestrian access to Brick Kiln Lane. The County Council would not adopt the footpath link across the open space to the eastern boundary and the provision of the link would not be a requirement of the Highway Authority. It is a requirement of part c to Policy SH1 and this would be secured by planning condition.

* Policy SH1 part d refers to the relocation of a safe crossing point on Chapel Street. A zebra crossing facility is provided to the east of the site entrance, providing a safe crossing point for pedestrians and the Highway Authority are happy with this arrangement.

Necessary contributions

* The scheme requires a number of contributions to be provided.

It is proposed to provide 13.3% 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 and further independent advice is being sought.

* Norfolk County Council has confirmed that no contributions would be sought for Nursery, Primary or High School although contributions will be sought for 6th Form.

* Norfolk Fire Service has calculated total fire contributions at £1,688.

* Library provision has been calculated at £5,400.

* A contribution towards recreation provision consistent with Policy DC11 of the Adopted Core Strategy is also to be provided.

* The above contributions can be secured via a Section 106 legal agreement, with the exception of the fire hydrant which would be secured through a suitably worded condition. The legal agreement would also provide for the long term management of open space.

Neighbour amenity

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

* It is evident from the layout proposed that there are only neighbouring dwellings to the south. It can be seen that the separation distances between the proposed dwellings and the neighbouring dwellings are sufficient to ensure light, outlook and privacy would be adequately safeguarded. Any subsequent reserved matters application would control the exact size of the dwellings and the position of all openings within dwellings which would also protect the amenities of adjacent residents.

Biodiversity

* The Ecological Survey identifies a potential problem in that the survey work required to establish potential adverse impacts on the European protected species Great Crested Newt could not be resolved. This must be resolved at reserved matters stage. The recommendations of the report in respect of nesting birds should be a condition precedent to any consent and this should extend to the agricultural component of the site as well.

Other issues

* The Environment Agency has confirmed no objection subject to conditions relating to flood risk and land contamination.

* Contamination - Policy SH1 part g refers to investigation and remediation of any ground contamination. This can be secured by condition.

* The landscaping plan submitted with any reserved matters application should in the most part reflect the natural vegetation of the adjacent clay plateau.

* The Parish Council makes a number of comments relating to the proposal. The first relates to the additional load the development will put on the sewage system, further information is being sought on this. The second comment relates to the surface water drainage system, this issue has been considered by the Environment Agency who has no objection to the proposal subject to conditions. The final comment relates to the siting of the Zebra crossing which has been considered by the Highway Authority, who has raised no objection in respect of the crossing.

Conclusion

* The site is allocated for residential development in accordance with Policy SH1 within Breckland's Adopted Site Specific Policies and Proposals Development Plan Document. The layout is considered to be acceptable in design terms and takes account of neighbouring residents, highway safety and all other planning matters. On this basis the application is recommended for approval subject to the District Valuer verifying the conclusions of the financial appraisal submitted by the agent in relation to viability and the affordable housing contribution.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Surface water drainage scheme
- 3920** In accordance with FRA
- 3920** Approved remediation strategy
- 3920** Verification report
- Previous land contamination

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

3920

3920 Surface water disposal

3920 Written consent required piling or other foundation design

3395 Archaeological condition

3920 Highway conditions

3920 Landscaping plan

3920 Brick Kiln Lane link

3920 Biodiversity - nesting birds

3920 Energy generation DC14

3920 S106 contributions

3920 Land contamination

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 - 08-05-2013

ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0110/F	CASE OFFICER: Jayne Owen
LOCATION:	SWAFFHAM Land East of Brandon Road	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: Sites with PP 4 HSG CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Taylor Wimpey East Anglia c/o Agent	
AGENT:	Arnstrong Rigg Planning The Exchange Colworth Science Park	
PROPOSAL:	Erection of 92 no. residential units together with assoc car parking, access, open space and landscape provision	

KEY ISSUES

Principle of development
Design, layout and siting
Landscaping
Highways

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for 92 residential units together with associated car parking, access, open space and landscape provision. The application follows planning permission for 335 No. residential units granted on a wider development site. This application seeks permission to re-plan part of the original scheme including 9 units already consented to provide a total of 101 units. The mix of dwellings would comprise 1 x 2 bed flat, 30 x 2 bed houses, 35 x 3 bed houses, 35 x 4 bed houses. The scheme proposes 20 affordable units which equates to 20% of the total provision in accordance with the requirements of the approved scheme. The proposed dwellings are predominantly 2-3 storey in height and comprise a mix of detached, semi-detached and terraced houses. The larger dwelling types are generally located around the edge of the site, presenting a semi-rural outlook. 222 car parking spaces are provided which equates to 2.4 spaces per unit with a mix of off-street parking bays, parking courts and on-plot parking. Materials proposed are a mix of facing brick, render and weatherboarding.

The application is supported by various technical reports including Planning Statement, Design and Access Statement, Transport Assessment and Travel Plan, Flood Risk Assessment, Arboricultural Impact Assessment, Habitat Survey, Reptile Survey and Contaminated Land Investigation.

SITE AND LOCATION

The site is located on the southern edge of Swaffham and to the east of Brandon Road. It is surrounded by open land. The site was previously used for commercial purposes, including the Redland tile factory. The application site measures 2.9 hectares and it encompasses land immediately to the south-east of the main access roundabout, land along the southern edge of the site and land immediately to the east of the main area of open space at the heart of the approved development. The small area excluded from the red line is the land on which the applicants have already secured planning permission for 9 houses.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/1129/F - Erection of 9 residential units, associated access and car parking (Phase 1) - Approved 19 December 2012

3PL/2011/0868/F - Erection of 335 residential units together with associated access, car parking, open space and landscape provision - Approved 19 December 2012

3PL/2007/1436/H - Full application for 143 dwellings, access and associated works and outline for residential development and associated works - Approved 23 June 2009

POLICY CONSIDERATIONS

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

CP.05	Developer Obligations
CP.09	Pollution and Waste
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to paragraphs 9, 47, 52, 56 and 57

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

CONSULTATIONS

SWAFFHAM TOWN COUNCIL -

No Objections

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions (to be confirmed)

ENVIRONMENT AGENCY

It is considered that planning permission should only be granted subject to the proposed development submitted subject to conditions covering flood risk; land contamination; scheme for surface water disposal and a restriction in relation to piling as a method of construction.

HEALTH & SAFETY EXECUTIVE

HSE does not advice on safety grounds against the granting of planning permission in this case.

CONTAMINATED LAND OFFICER

Conditions and informative are recommended

SENIOR HOUSING ENABLING OFFICER

The application will provide 20no. affordable dwellings (22%) which was agreed at the outline permission stage of the application. The dwellings are sufficiently pepperpotted across the development site to ensure that the affordable dwellings are not all clustered together. The mix of dwellings was established to match the needs in Swaffham. The applicant will be required to make appropriate arrangements for the affordable rented dwellings to be delivered. The affordable dwellings will be required to be built to HCA design standards or another approved by the Council.

ECONOMIC AND STRATEGY OFFICER - No Comments Received

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER - No Comments Received

REPRESENTATIONS

None

ASSESSMENT NOTES

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

Principle

* The site falls within the Settlement Boundary for Swaffham and has the benefit of planning permission for residential development including 9 dwellings, previously approved under planning permission reference 3PL/2012/1129/F granted in January 2013.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

* This application seeks permission to re-plan parts of the approved scheme with the same number of dwellings.

* The National Planning Policy Framework promotes the development of land for housing in suitable and sustainable locations provided that a high standard of design is achieved.

* It is considered that the proposed revised design and layout satisfactorily accords with Core Strategy Policies DC1 (Amenity), DC11 (Open Space), DC12 (Trees and Landscape) and DC16 (Design).

* The development provides 20% affordable housing which accords with the provision agreed in relation to the site as a whole.

* Previously the applicant had requested a relaxation of Policy DC4 on viability grounds and it was agreed that whilst the affordable housing would be constructed to Code Level 3 it is proposed that the open market housing is built without the requirement for 10% of energy requirements to be met by on-site renewables. It was agreed that taking into account viability considerations and other sustainable features of the development (including transport measures and green infrastructure/SUDs), that a relaxation of policy was justified.

Design, layout and siting

* The design and layout of the proposal including mix of housing, density, building height, massing and scale are consistent with the approved scheme and is considered to satisfactorily accord with Core Strategy Policy DC16 of the Adopted Core Strategy.

* External materials satisfactorily reflect local building patterns

* In addition, the proposal will retain on-site features such as established hedgerows and trees. It is recommended that a landscaping scheme is secured by planning condition.

* The proposed development offers an opportunity to enhance biodiversity, particularly through the creation of green spaces and new ponds. A scheme of biodiversity enhancements to be secured by planning condition remains applicable.

Amenity

* It is not considered that the proposal would have any significant effects on local residential amenity. The site is sufficiently separated from existing dwellings to avoid any direct visual impacts, including overlooking and overshadowing. Construction activities can be controlled by planning condition to avoid harmful impacts from noise and dust. In terms of amenity space, each house has a private rear garden of an acceptable size.

Highways

* It is considered that the proposed development remains acceptable in transport and traffic terms. As previously a new roundabout junction is proposed on Brandon Road, together with a new footway and pedestrian crossing to link with existing footways on Brandon Road.

* The site layout reflects that which has been approved. There are some minor changes to the layout of plots and siting of buildings with some changes to the location of car parking. Along the southern edge of the site there is a notable omission of two parking courts, which allows a more continuous street frontage of built development and greater on-plot parking.

* The layout follows the urban design principles of the approved scheme comprising of perimeter block development providing visual continuity and good levels of natural surveillance of communal spaces and parking areas.

* In addition the submitted Travel Plan proposes various measures to reduce dependence on private car use, the implementation of which would be secured by condition. A financial contribution towards local public transport services is secured by way of a Section 106 Obligation in relation to the wider site.

* Norfolk County Council has been consulted on the proposals and following the receipt of

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

satisfactorily amended plans raise no objections subject to conditions. At the time of writing recommended conditions are to be confirmed. Members will be up-dated at the meeting.

Conclusion

* The principle of residential development is acceptable. The layout and design as revised is acceptable and appropriate to the location.

* It is recommended that planning permission is granted subject to conditions and to a legal agreement to ensure the new application remains subject to the obligations in the existing agreement relating to 3PL/2011/0868/F in relation to the whole site. Recommended conditions would include external materials, hard/soft landscaping, tree protection, biodiversity enhancements, contamination, drainage, construction management, access road construction, off-site highway improvements, parking and implementation of the Travel Plan. The legal agreement would include obligations relating to affordable housing, public open space provision and contributions towards library services and public transport.

RECOMMENDATION	Planning Permission
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CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3048** In accordance with submitted
- MT03** External wall and roof materials to be agreed
- PD09** No alterations to garage
- 3403** Screen fencing &/or walling to be built
- 3408** Landscaping - details and implementation
- 3920** Fire Hydrant condition
- 3414** Fencing protection for existing trees
- 3750** Ecological mitigation measures
- 3740** Any highway conditions
- 3920** Construction Method Statement
- 3949** Contaminated Land - Site Investigation/Remediation
- 3946** Contaminated Land - Unexpected Contamination
- 3920** Surface Water drainage scheme
- 3920** Pollution Control
- 3920** Flood Risk
- 3920** No piling
- 3920** S106 Note
- 3920** NOTE - Highways
- 3920** NOTE - Fire Hydrants
- 3920** No piling
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 2001** Application Approved Following Revisions

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0115/F	CASE OFFICER: Chris Raine
LOCATION:	DEREHAM 14-16 & 18 Norwich Street	APPN TYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: Town Centre CONS AREA: Y TPO: N LB GRADE: N
APPLICANT:	Mr Basil Todd Wensum Valley Golf & Country Club Norw	
AGENT:	LSI Architects LLP The Old Drill Hall 23a Cattle Market Street	
PROPOSAL:	Part demo & refurbishment with part new build incl. retail units to ground & 1st floor & 4 no. residential units (2nd)	

KEY ISSUES

Principle of development
Impact upon the Conservation Area
Local amenity
Highway safety

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the demolition of some buildings within the site (some of which have been the subject of fire damage) and which are the subject of a separate accompanying Conservation Area Consent application 3PL/2013/0117/CA (also on this agenda), the refurbishment of an existing building on site and the erection of a mix of two storey and three storey buildings so as to create 3 retail units over the ground and first floors of the site with 4 residential flats in the second storey of the development. The development proposes two distinct architectural styles, with a traditional looking building proposed for the part of the site which fronts onto Norwich Street and contemporary approach used for the part of the site which fronts onto Nunns Way.

SITE AND LOCATION

The site consists of a large area within Dereham town centre with frontages onto Norwich Street to the south and Nunns Way to the north. At present there is a traditional two storey building fronting onto Norwich Street, which is vacant, this having previously been a bank. The remainder of the Norwich Road frontage is presently open as a result of the previously sited building being demolished due to fire damage. The frontage onto Nunns Way comprises a two storey building

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

which is occupied by a restaurant and take-away and an area of car parking. To the west of the site there are retail premises and to the east is a mix of predominantly retail premises with other town centre uses eg café.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0972/F and 3PL/2012/0973/CA - Part demolition and refurbishment with part new build inc. retail units to ground and 1st floor and residential units - Withdrawn
3PL/2013/0117/CA - part demo & refurbishment with part new building inc. retail units to ground and 1st floor and 4 no. residential units - Included on this agenda

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.07	Town Centres
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.09	Proposals for Town Centre Uses
DC.14	Energy Efficiency
DC.16	Design
DC.17	Historic Environment
NPPF	With particular regard to paragraphs 23, 49, 50, 56, 57, 128, 129, 131, 132 and 133.

CONSULTATIONS

DEREHAM T C - No Comments Received

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to securing the provision of cycle parking stands.

CONTAMINATED LAND OFFICER

No objection subject to conditions and an informative.

ENVIRONMENT AGENCY

No objection.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

NATURAL ENGLAND

No objection.

CRIME PREVENTION/ARCHITECTURAL LIAISON OFFICER

No objection subject to an informative.

HISTORIC BUILDINGS CONSULTANT

No objection subject to appropriate external materials being used.

NCC HISTORIC ENVIRONMENT OFFICER

No objection subject to the imposition of conditions in relation to the completion of archaeology related investigations on the site.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD - No Comments Received

ENVIRONMENTAL HEALTH OFFICERS - No Comments Received

REPRESENTATIONS

An objection has been received in relation to the following issues:

The buildings proposed are out of proportion with the previous buildings and would make Norwich Street claustrophobic; buildings should be limited to two storey and full regard should be had to any works carried out.

ASSESSMENT NOTES

* The application is referred to the Planning Committee as it is a major application. (See 3PL/2013/0017/CA also on this agenda)

Principle of Development

* The site lies within the Dereham town centre with the Norwich Street frontage forming part of the designated primary shopping frontage of the town. On this basis, the redevelopment of the site for A1 purposes is entirely consistent with national and local planning policy aims relating to town centres. Equally, the creation of additional residential dwellings on the second floor is entirely consistent with the policy aim of development of new properties in sustainable locations.

Impact upon the character and appearance of the Conservation Area

* The site lies within the Conservation Area and, as such, it is essential that any new development has appropriate regard to the existing character and appearance of the locality. It is evident that the scheme proposes two distinctly different approaches to the design of the scheme to the two frontages the site benefits from. The Norwich Street frontage is made up of a collection of traditional buildings of typically two storey composition and therefore the proposed design for this part of the site adopts a traditional looking design across the entire frontage to mimic that of the existing building which is to be retained (former bank). It is considered that this is an effective approach which relates sufficiently well to its surroundings.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

* With regard to the Nunns Way frontage, it is evident that this does not exhibit the same traditional looking buildings as the Norwich Street frontage, with more modern buildings prevalent in the locality (Palmers and Iceland for example). It is also evident that Iceland displays greater overall height and bulk than the traditional properties on the Norwich Street frontage. With this in mind, this part of the scheme has been designed with a more contemporary approach of three storey composition. It is considered that this approach is appropriate in this part of the site.

* The Historic Buildings Consultant has confirmed that he has no objection to the scheme subject to acceptable external materials being agreed.

* In considering the scheme overall, it is evident that the mix of traditional and contemporary design works sufficiently well together, creating a cohesive design which fits in with its surroundings.

Neighbour amenity

* It is evident that the site has been in "mixed use" through a combination of retail, restaurant and take-away enterprises and, as such, the re-development of the site for a combination of retail and residential uses is entirely compatible with one another and with the adjacent premises which are made up of predominantly retail premises. The Environmental Health Team has been consulted and their comments are awaited. These will be reported verbally to the Planning Committee. However, on the basis of the above points it is not envisaged that they will object to the scheme.

Other issues

* The Highway Authority has confirmed that they have no objection to the scheme subject to the inclusion of cycle parking within the development. It is considered that this can be achieved via a suitably worded planning condition.

* The Environment Agency has confirmed that they have no objection to the proposal.

* Norfolk Constabulary has no objection to the proposal subject to the imposition of an informative on any subsequent permission in relation to achieving "Secured by Design" status.

* The Contaminated Land Officer has no objection subject to conditions relating to contamination.

* Natural England has no objection to the proposal.

* The County Council's Historic Environment Services Officer has confirmed that they have no objection subject to the imposition of conditions in relation to the completion of archaeological investigations.

Conclusion

* The scheme is considered to relate satisfactorily to its surroundings, having due regard to the Conservation Area, would not result in harm to neighbouring uses or occupiers and would cause no other significant harm. On this basis the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Cycle parking stands to be agreed and provided
- 3949** Contaminated Land - Site Investigation/Remediation

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

- 3946** Contaminated Land - Unexpected Contamination
- 3923** Contaminated Land - Informative (Extensions)
- 3804** Precise details of foul water disposal
- 3802** Precise details of surface water disposal
- 3920** External materials as submitted
- 3920** Archaeology related condition
- 3920** Archaeology related condition
- 3920** Archaeology related condition
- 3920** Environmental health related condition
- 3994** NOTE: Scheme should seek "secured by design" accreditation
- 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 - 08-05-2013

ITEM	5	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0117/CA	CASE OFFICER: Chris Raine
LOCATION:	DEREHAM 14-16 & 18 Norwich Street	APPN TYPE: Conserv.Area Consent POLICY: In Settlemnt Bndry
APPLICANT:	Mr Basil Todd Wensum Valley Golf & Country Club Norw	ALLOCATION: Town Centre CONS AREA: Y TPO: N LB GRADE: N
AGENT:	LSI Architects LLP The Old Drill Hall 23a Cattle Market Street	
PROPOSAL:	Part demo & refurbishment with part new build incl. retail units to ground & 1st floor & 4 no. residential units (2nd)	

KEY ISSUES

Visual impact upon the Conservation Area

DESCRIPTION OF DEVELOPMENT

The application seeks Conservation Area Consent for the demolition of existing buildings on site. These consist of the following:

- Two storey building with associated additions to the rear of the premises fronting onto Norwich Street; these have already been demolished as a result of severe fire damage,
- L shaped two storey building fronting onto Nunn's Way.

SITE AND LOCATION

The site consists of a large area within Dereham town centre with frontages onto Norwich Street to the south and Nunns Way to the north. At present there is a traditional two storey building fronting onto Norwich Street, which is vacant, this having previously been a bank. The remainder of the Norwich Road frontage is presently open as a result of the previously sited building being demolished due to fire damage. The frontage onto Nunns Way comprises a two storey building which is occupied by a restaurant and take-away and an area of car parking. To the west of the site there are retail premises and to the east is a mix of predominantly retail premises with other town centre uses eg café.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0972/F and 3PL/2012/0973/CA - Part demolition and refurbishment with part new build inc. retail units to ground and 1st floor and residential units - Withdrawn
3PL/2013/0115/F - part demo & refurbishment with part new building inc. retail units to ground and 1st floor and 4 no. residential units - Included on this agenda

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.17	Historic Environment
NPPF	With particular regard to paragraphs 128, 129, 132 and 133

CONSULTATIONS

DEREHAM T C - No Comments Received

HISTORIC BUILDINGS CONSULTANT

No objection.

REPRESENTATIONS

None received.

ASSESSMENT NOTES

* This application is referred to the Planning Committee as it has been submitted in association with a major application on this agenda (3PL/2013/0115/F)

Visual impact upon the Conservation Area

* It is evident that the buildings scheduled for demolition are of limited architectural or historic merit and thus make no significant contribution to the Conservation Area. With this in mind there is no objection in visual terms to the demolition of the buildings. The Historic Buildings Consultant has confirmed that there is no objection to the proposed demolition.

Conclusion

* The proposal is considered to have adequate regard for the Conservation Area and is therefore

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

recommended for approval.

RECOMMENDATION Conservation Area Consent

CONDITIONS

- 3010** Conservation Area Consent - Time Limit (5 years)
- 3046** In accordance with submitted plans
- LB13** No demolition until redevelopment agreed
- 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 - 08-05-2013

ITEM	6	RECOMMENDATION : APPROVAL
REF NO:	3PL/2013/0138/F	CASE OFFICER: Chris Raine
LOCATION:	FRANSHAM Church Farm Station Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr R Hurn and Mrs P Williams Church Farm, Station Road Great Fransham	
AGENT:	Windcrop Limited The Granary Honingham Thorpe	
PROPOSAL:	Installation of a single micro scale wind turbine (14.97m to hub, 5.6m diameter blades)	

KEY ISSUES

Principle of development
Visual impact upon the character and setting of the countryside
Neighbour amenity
Air traffic safety

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of a single wind turbine on farmland within Fransham. The wind turbine is a Quiet Revolution HY5-AD5.6 which has a hub height of 14.97m, with a blade diameter of 5.m, thus giving a maximum height of 17.8m. The turbine is finished in a matt grey colour.

SITE AND LOCATION

The application site consists of part of an agricultural field located in the parish of Fransham. To the south of the site is the Station Road carriageway with the closets neighbouring residential dwellings to the north-east, south-east and south.

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

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

DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.15	Renewable Energy
NPPF	With particular regard to paragraphs 93, 94, 95, 96, 97 and 98

CONSULTATIONS

FRANSHAM P C -

The Parish Council objects to this application because of noise, intrusion, privacy and impacting on the value of neighbouring properties

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection.

TREE & COUNTRYSIDE CONSULTANT

This would seem a relatively sheltered location for a wind turbine.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions

MINISTRY OF DEFENCE (WIND TURBINES)

No objection

CIVIL AVIATION AUTHORITY

Comments

SAFEGUARDING CO-ORDINATOR NORWICH INTERNATIONAL AIRPORT

No objections

NATIONAL AIR TRAFFIC SERVICES

No objections

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

CONTAMINATED LAND OFFICER

No objection

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

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

Detrimental to neighbour amenity given associated noise issues; out of character with this residential area; detrimental to wildlife; loss of peace and tranquillity; solar panels are preferable for producing green energy; detrimental to the appearance of this rural area; people close by to turbines such as these in nearby villages are being negatively affected by them; it would cause shadow flicker; detrimental to horse riders which in turn may have implications for highway safety; case law supports the notion that villagers' rights are more important than the government's renewable energy targets; the proposal may constitute grounds for complaint under private law nuisance and statutory nuisance legislation; it is nearly twice the height of permitted development allowances

ASSESSMENT NOTES

* The application is referred to the Planning Committee at the request of the Ward Representative in the light of concerns regarding amenity.

Principle of Development

* The National Planning Policy Framework and Policy DC15 Of the Breckland Core Strategy support the principle of renewable energy proposals provided that there is no significant harm caused by a proposal, for example by virtue of visual impact or impact on neighbour amenity etc. In terms of assessing the merits of the scheme, an assessment is as follows:

Visual Impact

* In terms of the visual impact of the proposal upon this rural location, this areas lies within an area designated as "Plateau Farmland" within the document entitled "Wind Turbine Development landscape Assessment, Evaluation and Guidance". This document was co-commissioned with Kings Lynn and West Norfolk Borough Council to establish the suitability of the varying types of landscape to accommodate wind turbine development. This particular landscape character type suggests that this landscape has a high capacity to accommodate a single turbine. It should also be stressed that the proposed wind turbine is of relatively modest height (17.8m to blade tip) and is relatively slender in nature. In conclusion, whilst the turbine would be visible, it is considered that this proposal would not be unduly conspicuous in the rural landscape. There are two listed buildings within the vicinity, the closest being approximately 200m away, it is considered that the degrees of separation are sufficient to avoid any significant harm to their character or setting.

Neighbour amenity

* In terms of neighbour amenity, significant concern has been raised in relation to the noise associated with the proposal. The Environmental Health Officer has assessed the proposal and concluded that, they have no objection to the scheme in terms of nuisance grounds including noise, subject to the imposition of planning conditions.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

Air Traffic Safety

* In terms of air traffic safety, the necessary consultees, namely the MOD, CAA, NATS and Norwich Airport have been consulted and none of these parties have objected to the proposal.

Other issues

* The Highway Authority has confirmed that it has no objection.

* The Tree and Countryside Consultant has confirmed no objection to the proposal.

Conclusion

* It is considered that the proposal would not compromise the character and setting of the countryside, including any listed buildings, neighbour amenity, air traffic safety or any other planning issue, and therefore, the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Noise condition
- 3920** Only approved turbine to be installed
- 3920** Turbine maintenance
- 3740** NOTE - Excavations adjacent public highway
- 3994** NOTE - requirements of MOD
- 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 - 08-05-2013

ITEM	7	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0214/F	CASE OFFICER: Liz Starling
LOCATION:	HARLING Furneaux West Harling Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr & Mrs A Hales Furneaux West Harling Road	
AGENT:	Hunter Architects & Planners (Mr Ian Hunt 89a Bloomsbury Lane Timperley	
PROPOSAL:	Erection of detached super eco home, with integral garage and associated access and landscaping	

KEY ISSUES

Principle of development
Justification for countryside location
Impact upon protected trees
Highway safety
Impact upon residential amenity

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for a new detached two-storey dwelling to be constructed in the side garden of the applicant's property known as Furneaux. The scheme adopts a contemporary approach using a mixture of traditional and contemporary materials. The dwelling is to be built to Code Level 6 of the Code for Sustainable Homes. Access to the site would be via a new access off West Harling Road, and the proposed dwelling would be served by its own garden and parking and turning areas.

SITE AND LOCATION

The application site lies in a rural location outside the Settlement Boundary for East Harling, and is set within a cluster of predominantly residential development.

The site comprises of part of the garden of an existing detached bungalow and would be accessed via West Harling Road which lies to the north-west of the site. To the north-east and west of the site are residential dwellings and to the south is a large agricultural type building. The northern part of the application site contains trees subject to a Tree Preservation Order.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0882/F - Proposed Super Eco Detached dwelling House with Integral Garage -
Refused on 13th November 2012.

POLICY CONSIDERATIONS

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

CP.01	Housing
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.11	Open Space
DC.12	Trees and Landscape
DC.14	Energy Efficiency
DC.16	Design
DC.19	Parking Provision
NPPF	With particular regard to Paragraphs 55 and 17

CONSULTATIONS

HARLING P C -

The Council will only allow with an important caveat that this project is not to be used as a precedent for other such developments outside or within village guidelines. This is a special case due to its uniqueness.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to the imposition of conditions in respect of visibility, access and onsite parking provision.

CONTAMINATED LAND OFFICER

No objection on the grounds of contamination.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

TREE & COUNTRYSIDE CONSULTANT

No objection subject to the imposition of a condition requiring service lines to pass outside the root protection areas of protected trees T3 - T6.

ENVIRONMENTAL HEALTH OFFICERS

No objections.

HISTORIC BUILDINGS CONSULTANT

Concerns raised in respect of elements of the proposed design.

ENVIRONMENTAL PLANNING

The application proposes a new dwelling on land outside of the settlement boundary within Harling, where there is a general presumption against new market dwellings. In this regard any new market dwelling would need to meet one of the criteria a-f in Core Strategy Policy CP14 Sustainable Rural Communities and also have regard to paragraph 55 of the NPPF.

The design and access statement suggests that this dwelling should be considered against the final bullet point of paragraph 55, which allows for new homes in the countryside to be developed if they are of exceptional quality or of an innovative nature of design. This criterion of paragraph 55 relates to exceptional quality and innovative design within a national context. As such the number of dwellings which have been granted on this basis across England is limited. This application proposes a super-eco home which should achieved code level 6 (zero carbon) within the Code for Sustainable Homes. Code level 6 is the highest code within the code for sustainable homes. Whilst dwellings achieving code level 6 is not common, it is not considered that this alone would meet the exceptional and innovative standards required under paragraph 55 for a departure from policy.

BUILDING CONTROL - No Comments Received

REPRESENTATIONS

Letters of support have been received from local residents on the grounds of the dwellings innovative contemporary design, enhancement of the landscape, environmental benefits from the dwellings being code 6 and the fact that the plot is a infill site within a cluster of existing properties.

ASSESSMENT NOTES

* The application is referred to Planning Committee for determination given the history relating to the site and its wider implications.

* Members will recall that planning permission was recently refused for an eco-dwelling to be constructed on the site, albeit of a different design to that which is currently being proposed (ref: 3PL/2012/0882/F).

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

Principle of development

* The application site lies outside the designated Settlement Boundary for East Harling, in an area where special justification is required for allowing dwellings as set out in paragraph 55 of the National Planning Policy Framework (NPPF). This application should pay particular attention to the following part of the aforementioned paragraph in relation to justifying a new dwelling in the countryside:

" The exceptional quality or innovative nature of the design of the dwelling. Such a design should:

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas.
- Reflect the highest standards of architecture,
- Significantly enhances its immediate setting and be sensitive to the defining characteristics of the local area".

* In this case, in general terms, the design of the proposed dwelling is considered interesting and contemporary in its approach and style, would be a marked improvement on the design of the dwelling previously proposed, would have strong eco-credentials (proposing to achieve code level 6 of the Code for Sustainable Homes) and would constitute an infill plot within an established group of residential properties. Discussions are currently taking place with the agent in respect of improving the 'round' element of the scheme in light of the concerns raised by the Historic Buildings Consultant. Members will be updated verbally at the meeting in respect of this matter.

* Notwithstanding the issues referred to above, paragraph 55 of the NPPF also requires that to be deemed acceptable, a new residential dwelling located outside a settlement boundary must be of exceptional quality and it is not considered that the dwelling proposed would meet this very strict requirement.

Impact upon protected trees

* A number of trees on the site are covered by a Tree Preservation Order. The Arboricultural Impact Report submitted in support of the application is considered acceptable, and subject to the imposition of a condition in respect of the location of service lines within the site, no objection has been raised by the Tree and Countryside Consultant. As such, it is considered that the scheme would adequately protect trees the subject of the TPO on the site and accord with Policy DC12 of the Breckland Core Strategy.

Highway safety

* In terms of highway safety, no objection has been raised by the Highways Authority subject to the imposition of conditions in respect of the access, visibility and onsite parking and turning provision.

Impact upon residential amenity

* It is considered that the proposed dwelling, by virtue of its design and distancing from adjacent dwellings, would adequately safeguard the residential amenities of neighbouring properties in respect of light, noise and privacy. As such, it is considered that the proposal would accord with the requirements of Policy DC1 of the Breckland Core Strategy and paragraph 17 of the NPPF.

Other issues

* The application is supported by a unilateral agreement in respect of open space provision in accordance with Policy DC11 of the Breckland Core Strategy.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

Conclusion

* Notwithstanding the revisions made to the application, it is considered that the proposal fails to meet the challenging targets set out by the NPPF in regard to achieving an exceptional quality or innovatively designed dwelling and, as such, the application is recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

- 9900** Not exceptional as required by paragraph 55 refusal
- 9900** Outside settlement boundary reason for refusal
- 9900** Policy reason for refusal
- 9900** Unsustainable location
- 2002** Application Refused Following Discussion - No Way Forward

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

ITEM	8	RECOMMENDATION : REFUSAL
REF NO:	3PL/2013/0261/F	CASE OFFICER: Viv Bebbington
LOCATION:	ROCKLANDS Rocklands Mere Fishery Chapel Street Rockland St. Peter	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Rocklands Mere Fishery c/o agent	
AGENT:	EJW Planning Limited Lincoln Barn Norwich Road	
PROPOSAL:	Erection of essential worker's dwelling.	

KEY ISSUES

Principle - essential need
Visual impact on rural character
Design and siting
Amenity
Highway issues

DESCRIPTION OF DEVELOPMENT

The proposal seeks full planning permission for the erection of a dwelling for occupation in connection with the adjacent Rockland Mere Fisheries. The proposed dwelling is a two storey house with three bedrooms. The scheme is of contemporary design using sustainable materials appropriate to the rural setting.

SITE AND LOCATION

The fishery is located to the north of Rockland Saint Peter. Access is off Chapel Street. The site consists of two fishing lakes and stock ponds, car park and fishing lodge/office. The site is in open countryside outside a Settlement Boundary. The wider site contains an area of extensive woodland. The dwelling is located to the south of the lakes on the edge of the woodland.

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

RELEVANT SITE HISTORY

3PL/2003/1547/F - Construction of fishing lake and stock ponds - Approved

The 2003 permission restricts the opening hours of the site to between 6am to 10pm April to August and 6am to 7.30pm September to March and up to 6 anglers at any one time except during matches and no more than 6 matches per year.

3PL/2010/1012/F - Extension of fishing lodge to accommodate office and secure tackle room - Approved

3PL/2011/0086/F - Extension for fishing office (minor amendment) - Approved.

POLICY CONSIDERATIONS

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

CP.11	Protection and Enhancement of the Landscape
CP.12	Energy
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.16	Design
NPPF	With particular regard to paragraph 55

CONSULTATIONS

LITTLE ELLINGHAM P C - No Comments Received

ROCKLANDS P C -

The revised application where the curtilage is smaller was discussed and a vote of no objection was obtained at our latest Parish Council meeting.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions

TREE & COUNTRYSIDE CONSULTANT

No objection subject to conditions in respect of biodiversity and tree protection.

CONTAMINATED LAND OFFICER

No objection

ENVIRONMENTAL HEALTH OFFICERS

No objection

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

RAMBLERS ASSOCIATION: NORFOLK AREA

None, providing both Rocklands RB5 is kept open throughout building works and any damage to it repaired without delay, as requested by the Highways Development Management Officer.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

None

ASSESSMENT NOTES

* The application is referred to Planning Committee at the request of the Ward Representative having regard to the history of the site.

Principle of Development

* The application site is located outside a Settlement Boundary and, as such, the general principle of new residential development is not supported unless there are special circumstances as set out in Policy CP14. The policy states that dwellings required in association with existing rural enterprises, where it complies with the requirements of national guidance, will be permitted.

* Para 55 of the NPPF advises that new isolated homes in the countryside should be avoided unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work; or
- The design of the dwelling is of exceptional quality or innovative nature, sensitive to the defining characteristics of the local area.

* The application has been submitted with an appraisal of the business providing information in support. It has been submitted that the business has been established for eleven years and has suffered from intruders, poachers and predation of stock by cormorants. There were several breaches in security in 2010 resulting in a significant loss of fishing tackle and equipment from the fishing lodge where the applicant runs a fishing tackle shop and on-line store. The dwelling is required to safeguard the adjacent fishery.

* It is considered that the erection of a dwelling on site on the grounds of security alone is insufficient to justify an essential need. The business has been established and running successfully for eleven years. Whilst the theft of equipment in 2010 is regrettable it is considered that other security measures could be implemented to deter intruders and raise the alarm.

* Whilst the property incorporates a high standard of sustainable construction techniques, maximises energy efficiency and is well designed it is considered the proposal is not truly outstanding or incorporates new ground breaking innovative techniques such as to justify an exception to policy.

Design and siting

* The dwelling is sited in an appropriate position on the site in order to oversee the access to the site and the fishing lodge. The design and appearance is appropriate to the rural setting and satisfies Policy DC 16.

Amenity

* There are no residential properties near the site and therefore the proposal would not impact on residential amenity.

Highway

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013

* The Highway Authority has raised no objection to the proposal subject to an informative in respect of the Public Right of Way.

Other issues

* The Contaminated Land Officer has confirmed there is no objection.

* The Tree and Countryside Consultant has assessed the contents of the ecological survey and has confirmed the mitigation measures put forward within the report are sufficient and should be the subject of a planning condition.

Conclusion

* The proposal fails to demonstrate that there is an essential need for a dwelling in connection with the fishery and is recommended for refusal.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Policy CP 14 and Para 55 of NPPF state

9900 Contrary to policy -essential need not demonstrated

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-05-2013