

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

RECOMMENDATION **Outline Planning Permission**

See Agenda Item 8a - Pages 14 - 22

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

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

DC.01	Protection of Amenity
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.14	Energy Efficiency
DC.16	Design
NPPF	With particular regard to para. 49.

CIL / OBLIGATIONS

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

CONSULTATIONS

HOCKERING P C -

Hockering Parish Council is unanimously opposed to this application.

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

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

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

The village is strongly opposed to the application.

NORFOLK COUNTY COUNCIL HIGHWAYS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

TREE & COUNTRYSIDE CONSULTANT

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

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Observations on meeting Secured By Design status.

HOUSING ENABLING OFFICER

No objection.

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

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

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

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

CONTAMINATED LAND OFFICER

No objections subject to conditions and an informative.

NATURAL ENGLAND

No objection.

ANGLIAN WATER SERVICE

No objection subject to a condition.

REPRESENTATIONS

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

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

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

ASSESSMENT NOTES

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

Principle of Development

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

Highway Safety

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

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

Impact upon the character and appearance of the area

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

Other issues

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

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

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

Conclusion

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

RECOMMENDATION

Refusal of Outline Planning Permission

REASON(S) FOR REFUSAL

- 9900** Outside settlement boundary
- 9900** Failure to have adequate regard for its surroundings
- 9900** Highway safety concerns

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

POLICY CONSIDERATIONS

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

CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.16	Design
NPPF	With particular regard to para. 28.

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

CIL / OBLIGATIONS

Not Applicable

CONSULTATIONS

SHIPDHAM P C -

The council have no objections to this application

SAHAM TONEY P C -

No objection

OVINGTON P C -

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

NORFOLK COUNTY COUNCIL HIGHWAYS

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

REPRESENTATIONS

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

ASSESSMENT NOTES

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

Principle of development

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

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

Scale, design and materials appropriate to use and rural location

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

Impact on wider landscape

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

* Similarly, from the Watton Road, the building would be seen within the context of other buildings and, from this viewpoint, any impact would be softened by the planting to that boundary.

* No further planting is proposed or considered necessary in this situation.

Impact on amenity

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

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

Control over future uses

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

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

Conclusion

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

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

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

* The application is recommended for approval

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

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

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

SITE AND LOCATION

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

EIA REQUIRED

No

RELEVANT SITE HISTORY

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

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

3PL/2012/0946/F - Residential development of 17 dwellings - Approved 9/8/2013
3PL/2012/0786/F - Minor material amendment to ref 3PL/2009/1066/F to change the design of houses nos. 8, 10 and 12 - Approved 2/10/2012
3PL/2009/1066/F - Demolition of existing redundant industrial buildings and erection of 10 no. houses (Re-sub of 3PL/2008/0579/F) - Approved
3PL/2009/1065/F - Residential development of 15 houses (re-submission of planning application 3PL/2009/0589/F) - Refused 18/2/2010
3PL/2009/0589/F - Residential development (15 units) - Dismissed on appeal 1/10/2009

POLICY CONSIDERATIONS

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

CIL / OBLIGATIONS

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

CONSULTATIONS

HARLING P C -

Harling Parish Council have no objections to this application

NORFOLK COUNTY COUNCIL HIGHWAYS

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

CONTAMINATED LAND OFFICER

Comments are awaited on request of additional information.

ENVIRONMENTAL PLANNING

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

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

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

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

REPRESENTATIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

ASSESSMENT NOTES

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

Principle of residential development

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

Design and character

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

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

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

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

Highway safety

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

* All dwellings have a minimum of two parking spaces.

Affordable Housing

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

Open Space

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

Residential amenity

- * The development continues the existing approved layout on the estate road.
- * The position of each dwelling within this proposed layout, when considering the design of each unit, including the position of all openings, results in a scheme which has adequate regard for the inter relationships between the dwellings proposed and those on the adjacent sites.
- * Furthermore, the provision of single storey dwellings adjacent existing development at The Hamblings protects residential amenity in respect of overlooking or overbearing scale.

Conclusion

- * In conclusion, it is considered that the scheme for residential development is acceptable given the Council's lack of a 5 year supply of housing land.
- * The design and layout has sufficient regard for its surroundings, would not compromise neighbour amenity and satisfies all highway safety requirements.
- * On this basis, and subject to the resolution of the relevant legal agreement, the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

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

KEY ISSUES

Principle of development
Design and appearance
Amenity
Other issues

DESCRIPTION OF DEVELOPMENT

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

SITE AND LOCATION

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

EIA REQUIRED

No

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

RELEVANT SITE HISTORY

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

POLICY CONSIDERATIONS

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

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

CIL / OBLIGATIONS

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

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

CONSULTATIONS

SWAFFHAM TOWN COUNCIL - No Comments Received

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections

REPRESENTATIONS

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

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

ASSESSMENT NOTES

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

Principle of development

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

Design and appearance

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

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

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

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

Amenity

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

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

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

Other issues

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

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

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

Conclusion

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

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

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

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

RECOMMENDATION

Planning Permission

CONDITIONS

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

BRECKLAND COUNCIL - PLANNING COMMITTEE - 16-12-2013

2009 Criterion E - Planning Apps