

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>Item No.</b>	<b>Applicant</b>	<b>Parish</b>	<b>Reference No.</b>
1	Henstead Hall Estate Ltd	THETFORD	3PL/2008/0026/F
2	Henstead Hall Estates Ltd	THETFORD	3PL/2008/0027/LB
3	Mr T Wicks	NECTON	3PL/2008/0114/O
4	Ralph Firman	SNETTERTON	3PL/2008/0137/F
5	Abbey Engineering	WATTON	3PL/2008/0155/O
6	Zest Partnership	CARBROOKE	3PL/2008/0304/D
7	Express Care (Guest Services)	NORTH TUDDENHAM	3PL/2008/0321/F
8	Abel Homes Ltd	SWAFFHAM	3PL/2008/0345/F
9	R W Duffield Limited	SWANTON MORLEY	3PL/2008/0425/F
10	Miss K Taylor	HARDINGHAM	3PL/2008/0482/F
11	Mr Colin Smith	YAXHAM	3PL/2008/0515/F
12	The Kilverstone 1989 Settlemen	KILVERSTONE	3PL/2008/0584/A
13	The Kilverstone 1989 Settlemen	KILVERSTONE	3PL/2008/0585/A
14	The Blakeney Park Settlement	KILVERSTONE	3PL/2008/0586/A
15	Mr Hannant	DEREHAM	3PL/2008/0654/F

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>1</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0026/F	
<b>LOCATION:</b>	THETFORD The Former Burrell House Minstergate	<b>APPN TYPE:</b> Full <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> Primary Comm. Area <b>CONS AREA:</b> Y <b>TPO:</b> N <b>LB GRADE:</b> Grade II
<b>APPLICANT:</b>	Henstead Hall Estate Ltd c/o agents	
<b>AGENT:</b>	Anglia Design Associates 11 Charing Cross Norwich	
<b>PROPOSAL:</b>	Proposed residential conversion consisting of 6 no. apartments & 4 no. townhouses	

### **KEY ISSUES**

1. Within Settlement Boundary
2. Whether development will preserve or enhance the Conservation Area
3. Impact on Listed Building
4. Access/parking arrangements

### **DESCRIPTION OF DEVELOPMENT**

The proposal is for full planning permission to convert the former Burrell House into 6 No. residential apartments and 4 No. townhouses.

The application has been submitted with:

- schedule of works
- design and access statement
- structural survey
- bat and owl survey.

### **SITE AND LOCATION**

The application site comprises an existing Grade II Listed two storey building known as Burrell House and is located on the north side of Minstergate. To the south-east is St Nicholas House, to the north-west is a group of commercial retail shops, to the north-east is a car park, opposite the site is the Burrell Museum

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **RELEVANT SITE HISTORY**

3PL/2004/0819/F - Change of use to A1 retail - Approved  
3PL/2004/0818/LB - Change of use from industrial unit to A1 retail with associated refurbishment and repair including new door frame, sidelights - Approved  
3PL/1996/1301/F - To repair and restore pattern shop building to create new museum, entrance, café, shop and cinema - Approved  
3PL/1996/1302/LB - To repair and restore pattern shop building to create new museum, entrance, café, shop and cinema - Approved  
3PL/1992/0873/CU - Change of use to retail (Class A1) - Approved  
3PL/1989/1662/F - Demolitions, conversion and extension of building and site to provide three retail units - Approved  
3PL/1989/1663/LB - Demolitions, conversion and extension of building and site to provide three retail units - Approved  
3PL/1988/1747/F - Conversion and extension of listed building to 3 No. retail units - Approved  
3PL/1988/1748/LB - Conversion and extension of listed building to 3 No. retail units - Approved  
3PL/1988/1012/LB - Alterations and extension to provide retail shopping with flats over - Approved  
3PL/1988/1013/O - Conversion and extension of building and site to provide 12 flats, 3 retail units and renovation of retail warehouse - Approved.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPG15: Planning and the Historic Environment  
PPG13: Transport

SAVED LOCAL PLAN of the Breckland District Local Plan (Adopted September 1999):  
HOU.2 Housing development within the Settlement Boundaries of the five towns will be permitted subject to criteria.

### **CONSULTATIONS**

THETFORD T C

The Committee would like to see the windows to the front elevation retained, believing these to be potentially openable through the freeing up of a swivel mechanism.  
If this does not prove feasible, then the Committee would like to see the windows on the front and side elevations removed with care and placed in safe-keeping.  
The Committee would like to see 10 parking spaces provided for on the basis of one per dwelling.

HIGHWAY AUTHORITY - No objections subject to condition

COUNCIL'S HISTORIC BUILDINGS OFFICER - No objections subject to conditions

COUNCIL'S TREE AND COUNTRYSIDE OFFICER - No comment. Provision of bat boxes/tubes in line with the recommendations contained in the submitted Bat and Owl survey would be a

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

positive action and have the advantage that they would be visible to the public as a gesture of commitment.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - Recommend approval subject to conditions.

COUNCIL'S CONTAMINATED LAND OFFICER - No objections subject to conditions

NORFOLK CONSTABULARY - No objections. Comments in relation to crime and disorder copied to agent.

NORFOLK LANDSCAPE ARCHAEOLOGY - No objection subject to condition requiring historic building recording

### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

- \* The proposal is referred to Development Control Committee as it is a major application. This is one of two applications relating to this site on this agenda and should be considered in conjunction with application 3PL/2007/0027/LB which relates to Listed Building Consent for the residential conversion consisting of 6 No. apartments and 4 No. townhouses
- \* The site is within the Settlement Boundary of the town of Thetford and within the Conservation Area. Burrell House is a Grade II Listed Building formerly believed to be used for an engineering use with more recent storage use.
- \* The building has been empty and derelict for several years and is currently on the Norfolk County Council register of Buildings at Risk
- \* The proposal is to convert the building to provide 6 apartments (3 at ground floor level, 3 at first floor level) 5 of which are proposed to be one bedroomed with one of two bedrooms. The four townhouses are proposed to be two bedroomed.
- \* The applicants state that it is intended that the apartments and townhouses will be constructed to a high standard demonstrating sustainable and "green" credentials to reduce running costs through greater energy and water efficiency and reduced maintenance
- \* Bin storage facilities and secure cycle parking forms part of the proposal
- \* It is also intended to carefully restore the existing metal framed windows to the front elevation
- \* Traditional materials are proposed
- \* The development benefits from on-site car parking facilities, nine spaces are proposed.
- \* The applicants' agents had entered into pre-application discussions with the Council's Historic Buildings Officer who supports the bringing back into use of this building which represents a significant opportunity to improve the appearance of the building and enhance the Conservation Area
- \* The principle of the conversion of the building to residential is acceptable and the design and detail are considered acceptable.
- \* Approval is therefore recommended subject to the following conditions.

### **RECOMMENDATION**

**Planning Permission**

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

**CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3106** External materials and samples to be approved
- 3740** Highway Condition: Access/on site parking
- 3944** Contaminated Land - Desk top study
- 3946** Contaminated Land - During works
- 3920** Bat and Barn Owl Survey
- 3920** Domestic Refuse Storage
- 3920** Car park and rear elevation windows to be double glazed
- 3920** Metal framed windows retained
- 3380** Archaeological work to be agreed

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>2</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0027/LB	
<b>LOCATION:</b>	THETFORD The Former Burrell House Minstergate	<b>APPN TYPE:</b> Listed Build Consent <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> Primary Comm. Area <b>CONS AREA:</b> Y <b>TPO:</b> N <b>LB GRADE:</b> Grade II
<b>APPLICANT:</b>	Henstead Hall Estates Ltd c/o agents	
<b>AGENT:</b>	Anglia Design Associates 11 Charing Cross Norwich	
<b>PROPOSAL:</b>	Proposed residential conversion consisting of 6no. apartments & 4 no. townhouses	

### **KEY ISSUES**

1. Within Settlement Boundary
2. Whether development will preserve or enhance the Conservation Area
3. Impact on Listed Building
4. Access/parking arrangements

### **DESCRIPTION OF DEVELOPMENT**

The proposal is for listed building consent to convert the former Burrell House into 6 No. residential apartments and 4 No. townhouses.

This application has been submitted with:

- schedule of works
- design and access statement
- structural survey
- bat and barn owl survey.

### **SITE AND LOCATION**

The application site comprises an existing two storey building known as Burrell House and is located on the north side of Minstergate. To the south-east is St Nicholas House, to the north-west is a group of commercial retail shops, to the north-east is a car park, opposite the site is the Burrell Museum

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **RELEVANT SITE HISTORY**

3PL/2004/0819/F - Change of use to A1 retail - Approved  
3PL/2004/0818/LB - Change of use from industrial unit to A1 retail with associated refurbishment and repair including new door frame, sidelights - Approved  
3PL/1996/1301/F - To repair and restore pattern shop building to create new museum, entrance, café, shop and cinema - Approved  
3PL/1996/1302/LB - To repair and restore pattern shop building to create new museum, entrance, café, shop and cinema - Approved  
3PL/1992/0873/CU - Change of use to retail (Class A1) - Approved  
3PL/1989/1662/F - Demolitions, conversion and extension of building and site to provide three retail units - Approved  
3PL/1989/1663/LB - Demolitions, conversion and extension of building and site to provide three retail units - Approved  
3PL/1988/1747/F - Conversion and extension of listed building to 3 No. retail units - Approved  
3PL/1988/1748/LB - Conversion and extension of listed building to 3 No. retail units - Approved.  
3PL/1988/1012/LB - Alterations and extension to provide retail shopping with flats over - Approved  
3PL/1988/1013/O - Conversion and extension of building and site to provide 12 flats, 3 retail units and renovation of retail warehouse - Approved.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPG15: Planning and the Historic Environment  
PPG13: Transport

SAVED LOCAL PLAN of the Breckland District Local Plan (Adopted September 1999):  
HOU.2 Housing development within the Settlement Boundaries of the five towns will be permitted subject to criteria.

### **CONSULTATIONS**

THETFORD T C

The Committee would like to see the windows to the front elevation retained, believing these to be potentially openable through the freeing up of a swivel mechanism.  
If this does not prove feasible, then the Committee would like to see the windows on the front and side elevations removed with care and placed in safe-keeping.  
The Committee would like to see 10 parking spaces provided for on the basis of one per dwelling.

HIGHWAY AUTHORITY - No objections subject to condition

COUNCIL'S HISTORIC BUILDINGS OFFICER - No objections subject to conditions

COUNCIL'S TREE AND COUNTRYSIDE OFFICER - No comment. Provision of bat boxes/tubes in line with the recommendations contained in the submitted Bat and Owl survey would be a

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

positive action and have the advantage that they would be visible to the public as a gesture of commitment.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - Recommend approval subject to conditions.

COUNCIL'S CONTAMINATED LAND OFFICER - No objections subject to conditions

NORFOLK CONSTABULARY - No objection. Comments regarding crime and disorder copies to agent.

NORFOLK LANDSCAPE ARCHAEOLOGY - No objection subject to condition requiring historic building recording

### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

- \* The proposal is referred to Development Control Committee as it is a major application. This is one of two applications relating to this site on this agenda and should be considered in conjunction with application 3PL/2007/0026/F which relates to full planning permission for the residential conversion consisting of 6 No. apartments and 4 No. townhouses
- \* The site is within the Settlement Boundary of the town of Thetford and within the Conservation Area. Burrell House is a Grade II Listed Building formerly believed to be used for an engineering use with more recent storage use.
- \* The building has been empty and derelict for several years and is currently on the Norfolk County Council register of Buildings at Risk
- \* The proposal is to convert the building to provide 6 apartments (3 at ground floor level, 3 at first floor level) 5 of which are proposed to be one bedroomed with one of two bedrooms. The four townhouses are proposed to be two bedroomed.
- \* The applicants state that it is intended that the apartments and townhouses will be constructed to a high standard demonstrating sustainable and 'green' credentials to reduce running costs through greater energy and water efficiency and reduced maintenance
- \* Bin storage facilities and secure cycle parking forms part of the proposal
- \* It is also intended to carefully restore the existing metal framed windows to the front elevation
- \* Traditional materials are proposed
- \* The development benefits from on-site car parking facilities - nine spaces are proposed.
- \* The applicants' agents have entered into pre-application discussions with the Council's Historic Buildings Officer who supports the bringing back into use of this building which represents a significant opportunity to improve the appearance of the building and enhance the Conservation Area
- \* The principle of the conversion of the building to residential is acceptable and the design and detail is considered acceptable.
- \* Approval is therefore recommended subject to the following conditions

### **RECOMMENDATION**

**Listed Building Consent**

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

**CONDITIONS**

- 3009** Listed Building Consent - Time Limit (3 years)
- 3048** In accordance with submitted AMENDMENTS
- 3106** External materials and samples to be approved
- 3920** Damp Proofing Measures
- 3920** Proposed Drylining
- 3920** Metal framed windows retained
- 3380** Archaeological work to be agreed
- 3998** NOTE: Reasons for Approval
- 4000** Saved Local Plan Policies

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>3</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0114/O	
<b>LOCATION:</b>	NECTON Site adj 18 Mill Street	<b>APPN TYPE:</b> Outline <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr T Wicks 14 Pilling Road Thorpe St Andrew	
<b>AGENT:</b>	Parsons & Whittleby Ltd 1 London Street Swaffham	
<b>PROPOSAL:</b>	Site for residential development	

### **KEY ISSUES**

1. Residential development within village Settlement Boundary.
2. No impact on local drainage
3. No impact on highway safety
4. Regard for previous decision 3PL/2007/0676/O

### **DESCRIPTION OF DEVELOPMENT**

This is an outline application for the erection of 3 single storey dwellings on land forming part of the garden area of a bungalow at Mill Street, Necton. Whilst an indicative layout has been provided, only the matter of access is required to be determined at this stage. The submitted drawing shows the 3 no. single storey dwellings positioned to the side and rear of the principal bungalow. The existing access, which is to be improved, is proposed to serve the development.

### **SITE AND LOCATION**

The application site lies off the southern carriageway of Mill Street, in a residential area approximately 70m west of the street's junction with Chantry Lane. Two-storey dwellings abut the site to the south and east, whereas single storey development predominates to the west. The land area proposed to accommodate the units comprises lawns. In the north east corner of the site there is an unmanaged drainage ditch and a number of mature trees and a former pit which has been filled with material infected with Japanese Knotweed.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **RELEVANT SITE HISTORY**

3PL/2007/0676/O - Erection of four dwellings - Refusal. Appeal pending.  
3PL/1994/1196 - Erection of dwelling adj. Fourbays - approved.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan had been taken into consideration in the determination of this application:

PPS1 - Delivering Sustainable Development

HOU.4 Within the Settlement Boundaries of villages identified for Individual dwellings or small groups of housing, development will be permitted where it will enhance the form, character and setting of the village.

### **CONSULTATIONS**

NECTON P C

Objection.

Although the properties have been reduced to 3 dwellings the same problems relating to drainage remain. Surface water will still run into the ditch in Mill Street which already experiences flooding problems. Would also refer to you letter from Norfolk County Council regarding the access problems into Mill Street this development would cause. There has been serious flooding problems in the past in Mill Street and Chantry Lane area. The LDF document the Council expressed concern about any development causing flooding and foul sewerage issues during heavy rain. This is still the case and applies greatly to this development.

HIGHWAY AUTHORITY - No objection subject to conditions.

ENVIRONMENT AGENCY - No objection subject to conditions.

COUNCIL'S TREES AND COUNTRYSIDE OFFICER - No objection subject to conditions.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - Conditions required ie contamination and Japanese knotweed.

### **REPRESENTATIONS**

Letters of objection have been received which confirm that the previous objections remain. In summary, these concerns relate to drainage, highway safety, overlooking, loss of trees and the control of Japanese Knotweed.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* This application is referred to Development Control Committee given the previous decisions in relation to the site made by the Committee.
- \* This application follows a previous refusal for 4 dwellings on the site which was refused by Committee and is now the subject of an appeal. Following the previous decision, the application has been amended so as to reduce the number to 3 dwellings by removing the unit to the north-west/front of the site on a position occupied by a former pit.
- \* It is considered that the principle of this development proposal is acceptable as it is within the Settlement Boundary for Necton. In terms of the specifics of the proposal an assessment is as follows:
  - \* Set within reasonably spacious plots and replicating a cul-de-sac arrangement comparable with the nearby layout at "The Avenue", the development proposed is in keeping with the local area, with the final designs to be dealt with as reserved matters.
  - \* The applicant intends to improve levels of visibility at the site entrance and undertake works to the satisfaction of the Highway Authority.
  - \* The site is well screened by trees and hedges along its boundary with the highway and along the eastern boundary, 2 metre high timber fencing is provided along the remaining boundaries and would serve to protect the amenity of neighbouring occupiers.
  - \* No significant overlooking would occur given the degree of separation to neighbouring properties coupled with the single storey composition of the proposed units.
  - \* Whilst there are significant concerns from the Parish Council and local residents with regard to local drainage conditions, which formed the basis for the previous refusal, the applicants employed a firm of drainage consultants to devise a scheme to address the issue of run-off. The scheme was scrutinised on behalf of the Council by an independent drainage consultant who concluded that the development would not result in increased flooding to off-site properties. Given this current scheme proposes a reduction in dwelling numbers from 4 to 3, it is considered that the view of the drainage consultant as previously set out remains applicable and as such an objection on run-off grounds could not be substantiated.
  - \* The Japanese Knotweed will be dealt with in accordance with the recommendations of the Environment Agency and its removal/destruction will be conditioned accordingly.
  - \* In conclusion, it is considered that the proposal is considered to comply with the relevant policies of the Breckland District Local Plan and is recommended for approval.

### **RECOMMENDATION**

**Outline Planning Permission**

### **CONDITIONS**

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3048** In accordance with submitted AMENDMENTS
- 3202** Single storey dwelling only
- 3302** No P.D. for extensions, roof alterations, porches
- 3306** No P.D. rights for garages
- 3304** No P.D. rights for extensions, sheds, etc
- 3402** Boundary screening to be agreed
- 3414** Fencing protection for existing trees
- 3406** Surfacing - details and construction
- 3415** Trees and hedges
- 3412** Trees/hedges to be retained
- 3920** Non-standard condition - floor levels and flood mitigation
- 3740** Vehicular access to be constructed
- 3740** One access only
- 3740** Visibility splay
- 3740** On-site parking/turning area
- 3740** Adequate drainage methods
- 3740** Off-site highway improvements
- 3740** Improvements completed before occupation
- 3920** Knotweed condition
- 3920** Tree Root Protection
- 3920** No-dig construction of service runs
- 3994** EA Notes and S106
- 3998** NOTE: Reasons for Approval

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>4</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0137/F	
<b>LOCATION:</b>	SNETTERTON Chalk Lane	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Ralph Firman Atherstone House 58 Old Norwich Road	
<b>AGENT:</b>	Ralph Firman Atherstone House 58 Old Norwich Road	
<b>PROPOSAL:</b>	Erection of second & third (blocks A & C) s/storey units Commerical units replacing romney huts	

### **KEY ISSUES**

1. Erection of commercial units outside allocated employment area but on established commercial site.
2. Principle of commercial units established through earlier outline permission

### **DESCRIPTION OF DEVELOPMENT**

This application is for the erection of two commercial units (Blocks A and C). Proposed block A would be of a similar length (approximately 48m) and appearance to the existing unit. Proposed Block C, would also be of a similar appearance to the existing unit, but would be longer, measuring approximately 55m in length. The principle of three commercial units at this site was approved under reference 3PL/2003/0219/O. Block B has already been constructed and this application is for the construction of blocks A and C

### **SITE AND LOCATION**

The site is located off Chalk Lane, approximately 400m to the north-west of the A11. The site is not located within the Snetterton Heath area designated for employment uses but is located on an estate characterised by the existence of commercial units.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **RELEVANT SITE HISTORY**

3PL/2003/0219/O. Outline permission was granted for the replacement of 5 hangers with 3 new commercial units on 4 April 2003.

3PL/2003/1155/D. Permission was granted for reserved matters regarding the erection of Block B on 13 August 2003.

3PL/2004/1494/D. Permission was granted for reserved matters regarding the erection of block A on 27 October 2004.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1 - Delivering Sustainable Development

PPG4 - Industrial/Commercial Development and Small Firms

PPS7 - Sustainable Development in Rural Areas

PPG13 - Transport

PPG16 - Archaeology and Planning

PPS25 - Development and Flood Risk

ECO.2 Land at Snetterton Heath has been identified for selected economic development.

TRA.5 Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

### **CONSULTATIONS**

SNETTERTON P C

No objection.

NORFOLK LANDSCAPE ARCHAEOLOGY - No objection subject to conditions.

ENVIRONMENT AGENCY - No objection subject to conditions

HIGHWAYS AGENCY - Application does not adversely affect the A11 trunk road and the Highways Agency does not want to comment further.

COUNCIL'S ENVIRONMENTAL HEALTH - No objections but would like to see any conditions relating to noise or operating hours within the existing development (of which this is a part) attached to any approval

HIGHWAYS AUTHORITY- No objection subject to condition

COUNCIL'S CONTAMINATED LAND OFFICER - No objection subject to conditions

COUNCIL'S TREE AND COUNTRYSIDE OFFICER - No objections subject to conditions.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

- \* The proposal is referred to Development Control Committee as a "major" application.
- \* Members will note that this application relates directly to planning ref: 3PL/2003/0219/O when outline permission was granted for the replacement of 5 hangers with 3 new commercial units. The proposed units (A and C) in this application will be sited in the same location as illustrated on the plans accompanying the outline planning permission.
- \* The proposed units are of a similar design to the existing unit (block B) at the site and would be constructed using materials used for the construction of block B.
- \* The conditions attached to the proposal would ensure the prevention of pollution to the water environment and the prevention of an increased risk of flooding. Furthermore, conditions would ensure that adequate on-site parking and turning is laid out and that trees on, or adjacent, to the site are protected. Finally, a landscaping condition will ensure that the proposed commercial blocks have no detrimental impact on the landscape.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Materials used to match existing
- 3408** Landscaping - details and implementation
- 3412** Trees/hedges to be retained
- 3414** Fencing protection for existing trees
- 3415** Trees and hedges
- 3920** Contaminated land condition
- 3920** Contaminated land condition
- 3750** Access, on site parking etc laid out, surfaced
- 3920** Provision & implementation of pollution control/foul water
- 3920** Scheme for surface water drainage
- 3920** Archaeological condition
- 3998** NOTE: Reasons for Approval
- 4000** Saved Local Plan Policies

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>5</b>	<b>REPORT RECOMMENDING APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0155/O	
<b>LOCATION:</b>	WATTON Abbey Engineering Brandon Road	<b>APPN TYPE:</b> Outline <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Abbey Engineering 123 Brandon Road Watton	
<b>AGENT:</b>	Paul Took Planning 60 Neatherd Road Dereham	
<b>PROPOSAL:</b>	Residential development	

**CONSULTATIONS**

**RECOMMENDATION** Outline Planning Permission

3920 SEE MAIN AGENDA ITEM

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>6</b>	<b>REPORT RECOMMENDING REFUSAL</b>
<b>REF NO:</b>	3PL/2008/0304/D	
<b>LOCATION:</b>	CARBROOKE Site adjacent RAF Watton Base	<b>APPN TYPE:</b> Reserved Matters <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> Redevelop. Opport <b>CONS AREA:</b> N <b>TPO:</b> Y <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Zest Partnership c/o agent	
<b>AGENT:</b>	Island Construction Ltd 49 Darkley Road Keady	
<b>PROPOSAL:</b>	Proposed 70 bed nursing home	

**CONSULTATIONS**

**RECOMMENDATION**

**Disapproval of Reserved Matters**

**3920** SEE MAIN AGENDA ITEM

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>7</b>	<b>REPORT RECOMMENDING APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0321/F	
<b>LOCATION:</b>	NORTH TUDDENHAM Land adjoining The Old Mine Bar The Lodge Main Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Express Care (Guest Services) c/o Grant Williamson Croft Stairs	
<b>AGENT:</b>	Architects Design Group 3 Victoria Road Darlington	
<b>PROPOSAL:</b>	Erection of new 40 bedroom residential nursing home	

**CONSULTATIONS**

**RECOMMENDATION** Planning Permission

3920 SEE MAIN AGENDA ITEM

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>8</b>	<b>REPORT RECOMMENDING APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0345/F	
<b>LOCATION:</b>	SWAFFHAM Bernard Mathews Hatchery Castle Acre Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Abel Homes Ltd The Old School Little Cressingham	
<b>AGENT:</b>	Ingleton Wood LLP 43 All Saints Green Norwich	
<b>PROPOSAL:</b>	Demolition of redundant warehouse building & house for the erection of 51 dwellings	

**CONSULTATIONS**

**RECOMMENDATION** Planning Permission

3920 SEE MAIN AGENDA ITEM

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>9</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0425/F	
<b>LOCATION:</b>	SWANTON MORLEY South of Jacobs Woodgate Lane	<b>APPN TYPE:</b> Full <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	R W Duffield Limited Carnchil Dereham Road	
<b>AGENT:</b>	Sketcher Partnership Ltd First House Quebec Street	
<b>PROPOSAL:</b>	Proposed new dwelling and garage	

### **KEY ISSUES**

1. Impact upon the character and appearance of the area
2. Neighbour amenity
3. Highway safety

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for the construction of a detached two storey dwelling with detached garage. The site is to be accessed via Woodgate Lane to the west of the site. Outline planning permission for a new dwelling on the site was granted under 3PL/2007/1010/O.

### **SITE AND LOCATION**

The site is a vacant rectangular shaped plot positioned between existing residential dwellings to the north and south. To the rear of the site is open countryside and to the west is the Woodgate Lane carriageway which provides access to the site.

### **RELEVANT SITE HISTORY**

3PL/2007/1010/O - Outline application for dwelling - Approved.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development

PPS3: Housing

HOU.4 Within the Settlement Boundaries of villages identified for Individual dwellings or small groups of housing, development will be permitted where it will enhance the form, character and setting of the village.

TRA.5 Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

### **CONSULTATIONS**

SWANTON MORLEY PC

No objection.

COUNCIL'S CONTAMINATED LAND OFFICER - No objection subject to a condition.

HIGHWAY AUTHORITY - No objection subject to conditions.

### **REPRESENTATIONS**

One letter has been received which confirms no objection, however, they have requested that a drainage ditch, which has been filled, should be reinstated as water floods their front garden.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee as the applicant is a Ward Member.
- \* The site is located within the Settlement Boundary for Swanton Morley and, as such, the principle of residential development is acceptable as demonstrated through the granting of outline planning permission 3PL/2007/1010/O.
- \* In terms of the impact of the proposal upon the character and appearance of the locality, the dwelling retains sufficient separation to the neighbouring properties which is an important characteristic in this area. The design is sympathetic to the village location and the dwelling is to be constructed of red clay pantiles and red brick. The garage at the front of the site replicates that at the adjacent property and finally, the plot is of adequate size to accommodate the dwelling.
- \* In terms of neighbouring amenity, the dwelling is sufficiently distanced from the immediate neighbours to the north and south so as not to affect light or outlook and the new dwelling has no first floor windows in the adjacent side elevations which could lead to overlooking and, as such, it is not considered that neighbour amenity will be significantly compromised.
- \* In terms of highway safety, the Highway Authority have confirmed that they have no objections subject to conditions.
- \* A local resident has requested that a drainage ditch at the front of the site, which has been filled, should be reinstated. The applicant has confirmed that the ditch in question does not form part of a wider network of drains and is an isolated area for the storage of water and, as such, does not wish to reinstate it. However, the applicant has indicated he is willing to provide details of the method of drainage prior to commencement of the development by way of condition. This is considered acceptable.
- \* In conclusion, it is considered that the proposal is acceptable in planning terms and as such is recommended for approval.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Gas Protection Measures
- 3740** Highway Condition: Vehicular Access
- 3740** Highway Condition: Visibility Splays
- 3740** Highway Condition: Access/On-site parking/Turning
- 3106** External materials and samples to be approved
- 3920** PD rights removed - windows northern/southern 1st floor
- 3802** Precise details of surface water disposal
- 3804** Precise details of foul water disposal
- 3994** Highway Note - works within highway
- 3998** NOTE: Reasons for Approval
- 4000** Saved Local Plan Policies

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>10</b>	<b>RECOMMENDATION : REFUSAL</b>
<b>REF NO:</b>	3PL/2008/0482/F	
<b>LOCATION:</b>	HARDINGHAM 67 Low Street	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Miss K Taylor 67 Low Street Hardingham	
<b>AGENT:</b>	R & J Parker Bldg Design Consultants Ltd Home Farm Cottage	
<b>PROPOSAL:</b>	Parking space and vehicular access	

**KEY ISSUES**

Highway safety

**DESCRIPTION OF DEVELOPMENT**

Creation of parking space and new access to front of cottage on Low Street, a B Class road

**SITE AND LOCATION**

67 Low Street, Hardingham is a recently renovated and extended semi detached two storey dwelling on the B1135. The frontage is open and surfaced with gravel. There is no formal access to the property or dropped kerb at present but it would appear, from the damage to the grassed kerb that vehicles have cross into the site. Photographs of the site taken in connection with the earlier application show a vehicle parked to the side and front of the dwelling. A 1 metre high fence lies between the site and the adjacent property, a detached two storey dwelling

**RELEVANT SITE HISTORY**

3PL/2007/0116 - Alterations and extensions to cottage - Approved. (This application originally included access and parking but following a recommendation of refusal from the Highways Authority, that element was omitted from the scheme)

3PL/2007/1794 - Parking space and vehicular access - Refused on highway grounds

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

TRA.5 - New development generating traffic which would exceed the capacity of the highway will not normally be permitted.

### **CONSULTATIONS**

HARDINGHAM P C

As there is no change to this application, the Council object as previously. "In the opinion of the Council there is insufficient space to turn a vehicle to avoid reversing onto the B1135. There is a risk that with limited space parking will encroach on the highway's verge obstructing visibility for vehicles leaving the neighbouring properties and the verge is currently used as a footway. Visibility from this property is also restricted"

HIGHWAYS AUTHORITY - Objection as previous application in relation to restricted visibility and lack of on site parking, manoeuvring and turning facilities.

### **REPRESENTATIONS**

Concerns relate to highway safety, limited space for parking a vehicle clear of the highway, loss of grass verge and refer to the option of an alternative access to the rear of the dwelling.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* The application is referred to Committee at the request of the local Ward Representative.
- \* The application is a re-submission of an application refused in December, 2007 on highway grounds relating to limited visibility and inadequate on-site parking and turning space within the site. There are no changes to that scheme.
- \* The earlier application was the subject of a number of objections from local residents in relation to highway safety and the impact of a hard surface on the existing grassed highway verge. These concerns have been reiterated in respect of the re-submission. It was suggested that an alternative arrangement could be made to access the property via an existing driveway at No. 67 serving the rear of number 66. The owner of No. 67 had allowed the builders to use that access during construction works. The agent has confirmed that the applicant has not approached any adjoining landowners to acquire land for an access and does not have funds available for the cost of buying land and constructing a long vehicular drive, even if land were available.
- \* Historically, there has never been access or parking to serve the site and this would result in parking on the road. However, the proposed on site parking would be severely restricted to anything other than the smallest of cars and would be likely to result in cars being parked over the highway verge.
- \* Whilst it is acknowledged that the site lies within a 40 mph limit, visibility at the proposed access is restricted.
- \* The lack of turning space within the site will result in vehicles performing hazardous reversing manoeuvres when entering or leaving the site.
- \* It is acknowledged that there may be some advantage from parking vehicles clear of the highway, even with the restricted size of the parking area. However, this must be balanced against the dangers of entering and leaving the site where visibility is restricted
- \* On balance, the application is recommended for refusal on grounds of highway safety.

### **RECOMMENDATION**

**Refusal of Planning Permission**

### **REASON(S) FOR REFUSAL**

- 9900** Reason for refusal: TRA5-Highways
- 9455** Highway reason for refusal:Visibility
- 9455** Highway reason for refusal: On Site Parking

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>11</b>	<b>RECOMMENDATION : APPROVAL</b>
<b>REF NO:</b>	3PL/2008/0515/F	
<b>LOCATION:</b>	YAXHAM Down Ampney Well Hill	<b>APPN TYPE:</b> Full <b>POLICY:</b> In Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr Colin Smith Down Ampney Well Hill	
<b>AGENT:</b>	Mr Colin Smith Down Ampney Well Hill	
<b>PROPOSAL:</b>	Proposed link detached dwelling & garage	

### **KEY ISSUES**

1. Impact upon the character and appearance of the locality
2. Neighbour amenity
3. Highway safety
4. Impact upon existing trees and vegetation
5. Regard for previous application 3PL/2007/2002/F.

### **DESCRIPTION OF DEVELOPMENT**

The application seeks full planning permission for the construction of a linked chalet bungalow with an "L" shaped footprint and a single garage. The site is accessed via the existing private drive. The site will involve the construction of new boundary treatments to separate the plot from the existing adjacent dwelling known as Down Ampney. This application is a revised scheme following the recent refusal of applications 3PL/2007/2002/F and 3PL/2007/1482/F.

### **SITE AND LOCATION**

The site is an assymmetric shaped plot which presently forms part of the residential curtilage to Down Ampney, a detached chalet style dwelling. Access to the site is provided via an existing private drive which serves existing properties. To the east, south and west of the application site are dwellings and their gardens and to the north is open countryside. In the north eastern corner of the plot is an existing walnut tree. The boundaries to the site are delineated in part by vegetation and in part by fencing.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **RELEVANT SITE HISTORY**

3PL/2007/2002/F Construction of dwelling and garage. Refused.  
3PL/2007/1482/F Construction of dwelling and garage. Refused.  
3PL/2007/1104/F Construction of dwelling and garage. Withdrawn.  
3PL/2003/0545/F Extension, loft conversion and alterations to double garage. Approved.

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1 - Delivering Sustainable Development

PPS3 - Housing

HOU.4 - Within the Settlement Boundaries of villages identified for individual dwellings or small groups of houses, development must enhance the form and character and setting of the village.

TRA.5 Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

### **CONSULTATIONS**

YAXHAM P C

NO REPLY AS AT 2ND MAY, 2008

COUNCIL'S TREE & COUNTRYSIDE OFFICER - No objection.

HIGHWAY AUTHORITY - No objection subject to a condition requiring the completion of the access and on-site parking and turning being constructed in accordance with the approved plan and retained for that purpose thereafter.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - No objection subject to conditions restricting when construction works are undertaken and no burning of materials to be undertaken on site.

### **REPRESENTATIONS**

Neighbour objections have been received which set out the same concerns as previously raised; these are summarised below:

Detrimental to health of the adjacent trees and vegetation, loss of light, poor access, drainage concerns, set a precedent for other similar development, it represents one single overly long development, overdevelopment, it is too high, noise and nuisance from building works would occur and what prevents the removal of the garage link?

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee given the previous history of the site.
- \* The site is located within the Settlement Boundary and, as such, the principle of residential development is acceptable in accordance with Policy HOU4.
- \* The applicant has amended the current scheme so as to link the dwelling to the existing as opposed to it being a detached unit as previously applied for.
- \* In terms of the impact of the proposal upon the character and appearance of the locality, this part of Well Hill is not characterised by exclusively road frontage development with both Tolpenni and Down Ampney positioned to the rear of dwellings fronting Well Hill. For this reason it is considered that the positioning of a dwelling attached to Down Ampney would not be fundamentally unacceptable in planning terms. In terms of the dwelling type proposed, the scheme has been amended from the previous refusals (3PL/2007/1482/F and 3PL/2007/2002/F) by virtue of it being attached to Down Ampney by virtue of a single storey link. It is considered that it relates adequately to the locality in terms of scale, height, form and mass. Details of materials will be required to be agreed with the Local Planning Authority via planning condition. In addition, the site also provides adequate private amenity space and an open area at the front of the dwelling which provides on-site parking & turning and as such cannot be considered to be an overdevelopment of the site.
- \* In terms of neighbour amenity, the proposed dwelling is positioned between 25 and 29 metres from the neighbouring properties to the south (Hills Folly and Christmas Cottage) and 22 metres from the neighbouring dwelling to the south west (Tolpenni) which, given its chalet style composition, will not result in significant loss of light, outlook or privacy.
- \* In terms of highway safety, the Highway Authority have been consulted and they have confirmed that they have no objections to the proposal on highway safety grounds.
- \* There are no objections to the application from the Council's Tree & Countryside Officer.
- \* Concern has been expressed at the likely disturbance from the building works and additional movements. Suitably worded conditions will be attached restricting when construction work can be undertaken.
- \* On balance, it is considered that the proposal meets the requirements of all relevant policies and as such is recommended for approval.

### **RECOMMENDATION**

**Planning Permission**

### **CONDITIONS**

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3106** External materials and samples to be approved
- 3402** Boundary screening to be agreed
- 3750** Parking/turning area
- 3412** Trees/hedges to be retained
- 3920** Hours restriction for power tools etc
- 3920** No burning of waste materials
- 3920** No loading, unloading of vehicles
- 3998** NOTE: Reasons for Approval

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>12</b>	
<b>REF NO:</b>	3PL/2008/0584/A	
<b>LOCATION:</b>	KILVERSTONE Opposite Farm Gate Cottages Adj. Kilverstone Hall Farm Gate	<b>APPN TYPE:</b> Advertisement <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	The Kilverstone 1989 Settlemen Kilverstone Estate Office Kilverstone Hall	
<b>AGENT:</b>	Savills (L&P) Ltd Unex House 132-134 Hills Roads	
<b>PROPOSAL:</b>	Erection of estate agents advert board for commercial premises	

### **KEY ISSUES**

Impact on visual amenity and public safety.

### **DESCRIPTION OF DEVELOPMENT**

This application seeks Advertisement Consent to erect an estate agents advertisement board at the front of Trident Business Village in Brettenham Road, Kilverstone for a 5 year period.

### **SITE AND LOCATION**

Trident Business Village is located adjacent to Kilverstone Hall Farm in Brettenham Road. The site is situated past the Tesco junction, approximately 300 metres east of Thetford Garden Centre.

### **RELEVANT SITE HISTORY**

No relevant site history

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS.1 - Delivering Sustainable Development.

PPG.19 - Outdoor Advertisement Control.

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **CONSULTATIONS**

KILVERSTONE/BRETTHENHAM P C

NO REPLY AS AT 2ND MAY, 2008

HIGHWAYS AUTHORITY - have raised no objection in principle to the advertising board but seek further clarification relating to the precise location of the sign and in respect of the position of the highway boundary.

HIGHWAYS AGENCY - no comment.

### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee as it relates to land connected to a Member of Breckland Council.
- \* The proposal is for the erection of a new estate agents advertisement board measuring 1.22m (h) x 2.44m (w) x 0.028m (d) in connection with Trident Business Village.
- \* The sign consists of an aluminium panel and aluminium posts and would stand approximately 4 metres high (the height of the sign from the ground to the base of the advertisement would be 1.52 metres.)
- \* The advertisement board is required for a temporary 5 year period until 2013.
- \* PPG19 states that in deciding whether to approve an application for advertisement consent, the planning authority may consider only two issues; these are described in the rules as the interests of amenity and public safety.
- \* The Highways Authority raise no objection in principle on highway safety grounds subject to clarification regarding the location of the sign and the highway boundary.
- \* It is considered that, given the context, there will no detriment to local amenity or highway safety and the application is, therefore, recommended for approval for a temporary period of 5 years.

### **RECOMMENDATION**

- 3014** Standard Advert Conds. (a) (incl Time Limit)
- 3600** Standard Advert Conditions
- 3048** In accordance with submitted AMENDMENTS

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>13</b>	<b>RECOMMENDATION : REFUSAL</b>
<b>REF NO:</b>	3PL/2008/0585/A	
<b>LOCATION:</b>	KILVERSTONE East of Norwich Road/A11 Roundabout	<b>APPN TYPE:</b> Advertisement <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	The Kilverstone 1989 Settlemen Kilverstone Estate Office Kilverstone Hall	
<b>AGENT:</b>	Savills (L&P) Limited Unex House 132-134 Hills Road	
<b>PROPOSAL:</b>	Erection of estate agents advertisement board	

**KEY ISSUES**

1. Highway safety.
2. Visual clutter.
3. Remote location from site.
4. Precedent.

**DESCRIPTION OF DEVELOPMENT**

This application seeks advertisement consent to erect an estate agents advertisement board on the corner of Brettenham Road and Norwich Road, Kilverstone for a 5 year period.

**SITE AND LOCATION**

The proposed advertisement board would be located east of Norwich Road on the edge of the tree belt at the A11 roundabout.

**RELEVANT SITE HISTORY**

No relevant site history

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS.1 - Delivering Sustainable Development.

PPG.19 - Outdoor Advertisement Control.

Saved Policy TRA.5 of the Breckland Local Plan - Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

### **CONSULTATIONS**

KILVERSTONE/BRETTENHAM P C

NO REPLY AS AT 2ND MAY, 2008

HIGHWAYS AUTHORITY - have raised no comments as this relates to a trunk road and is not within NCC remit.

HIGHWAYS AGENCY - have raised the following concerns:

It should be noted that no site specific signing is permitted on the trunk road network other than for traffic management purposes, services areas/truck stops etc. Standard signs should not be varied, other than as permitted by the Traffic Signs Regulations and General Directions (TSRGD).

It is noted that the proposed sign will be located on the edge of the tree belt, on land within the trunk road highway boundary. Notwithstanding the above paragraph, the Department for Communities and Local Government Circular 3/2007 sets out the relevant considerations in relation to this case. Paragraph 6 of the Circular contains the following advice in respect of advertisement boards alongside motorways; "Land alongside motorways is landscaped for reasons of safety and appearance. Only prescribed or authorised traffic signs are permitted on land acquired for motorways". This legislation applies to any trunk road for which the Highways Agency is the highway authority. As the proposed sign is for an estate agents, it does not adhere to this advice. In addition, its location is such that it may distract drivers while braking from potentially high speeds on the A11 westbound carriageway. While in this braking zone drivers are expected to pay more attention to the road and it is critical that they are not distracted.

### **REPRESENTATIONS**

None

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* The application is referred to Development Control Committee as it relates to land connected to a Member of Breckland Council.
- \* The proposal is for a new advertisement board adjacent to the A11 roundabout in connection with Trident Business Village. Trident Business Village is located approx. 1800 metres from the roundabout.
- \* The advertisement board measures 1.22m (h) x 2.44m (w) x 0.028m (d) and consists of an aluminium panel and aluminium posts which would stand approximately 4m high (the height of the sign from the ground to the base of the advertisement would be 1.52 metres).  
The advertisement board is required for a temporary 5 year period until 2013.
- \* PPG19 states that in deciding whether to approve an application for advertisement consent, the planning authority may consider only two issues; these are described in the rules as the interests of amenity and public safety.
- \* In addition, the Department for Communities and Local Government Circular 3/2007 sets out the relevant considerations in relation to this case. Paragraph 6 of the Circular states: "land alongside motorways is landscaped for reasons of safety and appearance. Only prescribed or authorised traffic signs are permitted on land acquired for motorways".
- \* The proposed estate agents board fails to adhere to this advice. It is considered the location of the advertisement board is such that it may distract drivers while braking from potentially high speeds on the A11 westbound carriageway. While in this braking zone, drivers are expected to pay more attention to the road and it is critical that they are not distracted.
- \* The estate agents board advertising Trident Business Village is located in a detached location, some distance from the premises to which it relates.
- \* Due to the position of the sign in this unrelated location, it is considered that it would represent an unnecessary and alien feature in the landscape and would result in visual clutter, harmful to the visual amenity of the area.
- \* Furthermore, the granting of this permission in this location could create a serious precedent for future proposals of a similar nature in the area, which would become more difficult to resist and which could, cumulatively, seriously harm the amenities of the area.
- \* The application is, therefore, recommended for refusal in the interests of amenity, highway safety and to avoid setting a precedent.

### **RECOMMENDATION**

**Refusal of Consent to Display Advertisements**

### **REASON(S) FOR REFUSAL**

- 9900** Advertisement in prominent position, result in clutter etc
- 9900** Add to distraction of highway users
- 9900** If permitted, would create precedent
- 9900** Contrary to PPG 19 and TRA.5

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>14</b>	<b>RECOMMENDATION : REFUSAL</b>
<b>REF NO:</b>	3PL/2008/0586/A	
<b>LOCATION:</b>	KILVERSTONE Corner of Brettenham Road and Norwich Road	<b>APPN TYPE:</b> Advertisement <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	The Blakeney Park Settlement Kilverstone Estate Office Kilverstone Hall	
<b>AGENT:</b>	Savills (L & P) Limited Unex House 132-134 Hills Road	
<b>PROPOSAL:</b>	Erection of estate agents advertisement board	

**KEY ISSUES**

1. Highway safety.
2. Visual clutter.
3. Remote location from site.
4. Precedent.

**DESCRIPTION OF DEVELOPMENT**

This application seeks advertisement consent to erect an estate agents advertisement board on the corner of Brettenham Road and Norwich Road, Kilverstone for a 5 year period.

**SITE AND LOCATION**

The proposed advertisement board would be located at the junction adjacent to the Tesco store approximately 500 metres from Trident Business Village.

**RELEVANT SITE HISTORY**

No relevant site history

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS.1 - Delivering Sustainable Development.

PPG.19 - Outdoor Advertisement Control.

Saved Policy TRA.5 of the Breckland Local Plan - Where development would endanger transport safety, generate traffic that would be detrimental to the transport network, require highway improvements that would conflict with conservation considerations or attract traffic that would have an adverse effect on residential amenity, it will not be permitted.

### **CONSULTATIONS**

KILVERSTONE/BRETtenham P C

NO REPLY AS AT 2ND MAY, 2008

HIGHWAYS AGENCY - No comment.

HIGHWAYS AUTHORITY - Objection - Distraction of highway users and interference with free flow of traffic

### **REPRESENTATIONS**

None

### **ASSESSMENT NOTES**

\* The application is referred to Development Control Committee as it relates to land connected to a Member of Breckland Council.

\*The proposal is for a new advertisement board at the corner of Brettenham Road and Norwich Road in connection with Trident Business Village. Trident Business Village is located approx. 500 metres from this junction.

\* The advertisement board measures 1.22m (h) x 2.44m (w) x 0.028m (d) and consists of an aluminium panel and aluminium posts which would stand approximately 4m high (the height of the sign from the ground to the base of the advertisement would be 1.52 metres).

The advertisement board is required for a temporary 5 year period until 2013.

\* PPG19 states that in deciding whether to approve an application for advertisement consent, the planning authority may consider only two issues; these are described in the rules as the interests of amenity and public safety.

\* The estate agents board advertising Trident Business Village is sited in a detached location, some distance from the premises to which it relates. Due to the position of the sign in this unrelated location, it is considered that it would represent an unnecessary and alien feature in the landscape and would result in visual clutter, harmful to the visual amenity of the area.

\* Furthermore, the granting of this permission in this location could create a serious precedent for future proposals of a similar nature in the area, which would become more difficult to resist and which could, cumulatively, seriously harm the amenities of the area.

\* The application is, therefore, recommended for refusal in the interests of amenity, highway safety and to avoid setting a precedent.

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

**RECOMMENDATION** Refusal of Consent to Display Advertisements

**REASON(S) FOR REFUSAL**

- 9900** Advertisement in prominent position, result in clutter etc
- 9900** Add to distraction of highway users
- 9900** If permitted, would create precedent
- 9900** Contrary to PPG 19 and TRA.5

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

<b>ITEM</b>	<b>15</b>	<b>RECOMMENDATION : REFUSAL</b>
<b>REF NO:</b>	3PL/2008/0654/F	
<b>LOCATION:</b>	DEREHAM Springfield Mattishall Road	<b>APPN TYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> No Allocation <b>CONS AREA:</b> N <b>TPO:</b> N <b>LB GRADE:</b> N
<b>APPLICANT:</b>	Mr Hannant Springfield Mattishall Road	
<b>AGENT:</b>	Mr Hannant Springfield Mattishall Road	
<b>PROPOSAL:</b>	Removal of agricultural condition	

### **KEY ISSUES**

1. Outside Settlement Boundary
2. Whether current or future need for property to serve as a dwelling for an agricultural worker has been satisfactorily demonstrated

### **DESCRIPTION OF DEVELOPMENT**

Lifting of agricultural restriction condition.

### **SITE AND LOCATION**

The application site comprises a two storey dwelling and land at Springfield Farm on the south side of Mattishall Road.

### **RELEVANT SITE HISTORY**

3PL/2008/0108 - Lifting of agricultural planning condition on planning permission  
3PL/2000/0134/F - Refused  
3PL/2007/1873 - Lifting of agricultural restriction condition on planning permission reference no.  
3PL/2000/0134/O - Restricted approval - personal to applicant  
3PL/2000/0903/D - Erection of an agricultural workers dwelling and garage - Approved  
3PL/2000/0134 - Proposed erection of an agricultural workers dwelling - Approved  
3PL/2005/0287 - Erection of store - Approved  
3PL/1993/0991 - New nursery - Approved  
3PL/1991/1036 - Use of land for site for nursery with glass houses and shop for the sale of produce grown on the site (renewal) - Approved

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **POLICY CONSIDERATIONS**

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan have been taken into consideration in the determination of this application:

PPS1 : Delivering Sustainable Development

PPS7 : Sustainable Development in Rural Areas

### **CONSULTATIONS**

DEREHAM T C

No reply as at 28/4/08 but previously commented as follows:

Councillors agreed that he should be allowed to continue his business while residing in the house, and the agricultural restriction should be lifted but reinstated if he leaves the property

### **REPRESENTATIONS**

None

## **BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

### **ASSESSMENT NOTES**

- \* Two similar applications were made in February 2008 and November 2007
- \* The dwelling was granted planning permission by the Development Control Committee on 3rd April 2000, contrary to officers' recommendation, when the holding comprised 44 acres comprising arable production and a small nursery.
- \* The applicant's circumstances have changed since 2000 in that he has suffered a severe industrial injury.
- \* Account has already been taken of the exceptional personal circumstances of the applicant and the agricultural occupancy condition has been lifted on a restricted personal basis by the grant of planning permission under 3PL/2007/1873/F which was granted subject to a condition making the consent personal to the applicant.
- \* This in effect enables the applicant and his family to continue living in the property without complying with the agricultural occupancy condition but also provides that should the applicant move to another property or the applicant and his wife become deceased the property shall then revert back to being an agricultural dwelling.
- \* It was felt that the unrestricted lifting of the agricultural occupancy condition would be inappropriate as no evidence has been submitted to suggest that there is not a current or future need for this property to serve as a dwelling for an agricultural worker.
- \* To remove the condition on an unrestricted basis in these circumstances is considered to be contrary to national planning policy guidance as set out in Annex A of PPS7 (Sustainable Development in Rural Areas).
- \* A subsequent application was refused for the unrestricted lifting of the condition.
- \* In addition to the details of the injuries the applicant sustained following the accident, the applicant also submitted the following information:  
The holding run from Springfield was made up of mainly rented land with only a small amount owned. When the applicant became unable to work, he had to pay someone to work the land and his own land. This resulted in substantial loss and being unable to subsidise this kind of loss he had no option but to release the rented land and look for some other means of income, outside agriculture  
Further, the mortgage on Springfield is already loaded at 2% above the normal rate because of the restriction and this cannot be altered by only partially lifting the restriction and any future lending would, if it was possible to obtain, be further loaded.  
The applicant intends to convert the existing garage into a small two storey annexe for his daughter and child to move into and assist with day to day needs, removing the restriction would help to finance this project.
- \* Whilst these circumstances are noted and empathised with, in planning policy terms, they are not considered to be material to the determination of the application which should be based upon whether it has been demonstrated to the satisfaction of the Local Planning Authority that there is no current or future need for this property to serve as a dwelling for an agricultural worker.
- \* The applicant submits that there is currently only seven acres of land associated with Springfield Farm and that this no longer constitutes a viable agricultural holding.
- \* However, Members should note that it would appear the enterprise was viable until the applicant chose to give up his tenancy of the land. It was this rented land which was used to support the case for the dwelling originally and it would seem likely that the applicant would have been aware of the likely impact this would have on the viability of the business. The circumstances which led to the relinquishing of the land is recognised and these exceptional personal circumstances have already been taken into account in allowing him to continue living in the property without complying with the condition.
- \* However, no evidence has been submitted that the property has ever been marketed and therefore, that there is no current or future need for this property to serve as a dwelling for an

**BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 19-05-2008**

agricultural worker. It should also be noted that Paragraph 17 of PPS7 states that "it is the need for a dwelling for someone solely, mainly or last working in agricultural or forestry in an area as a whole, and not just on the particular holding, that is relevant".

\* The current application again seeks the unrestricted lifting of the condition. The information submitted again gives details of the applicant's unfortunate change of circumstances and the reason for the application is so that the applicant can secure funds without the loading which comes with the restriction. The applicant states an intention to convert the garage into a 2 storey annexe for his daughter and child to move into and assist with day to day needs

\* The Council are sympathetic to the unfortunate circumstances of the applicant which is why the previous consent was granted allowing the applicants to remain in the property without fully complying with the restriction. However, PPS7 requires the lifting of an agricultural restriction to be based upon the Council being satisfied that there is no longer a current or future need for the property to serve as a dwelling for an agricultural worker.

\* This has not been demonstrated and therefore the application is recommended for refusal.

**RECOMMENDATION**

**Refusal of Planning Permission**

**REASON(S) FOR REFUSAL**

**9900** Reason for refusal - PPS7