

Item No.	Applicant	Parish	Reference No.
1	MMC Norfolk Ltd	CASTON	3PL/2015/0147/F
2	Bernard Matthews Ltd	NORTH PICKENHAM	3PL/2015/0378/F
3	Melton Farms	GREAT ELLINGHAM	3PL/2015/0441/F
4	Mr Matthew Gibbard	ATTLEBOROUGH	3PL/2015/0485/F
5	Raemoir Properties Ltd	ATTLEBOROUGH	3PL/2015/0546/O
6	Mr Liam Burke	LITTLE ELLINGHAM	3PL/2015/0682/F
7	Mr S Gray	ATTLEBOROUGH	3PL/2015/0698/O
8	Mr & Mrs Burrows	BANHAM	3PL/2015/0775/F
9	Mr P Howell	NORTH ELMHAM	3PL/2015/0783/F
10	Tredwell Developments Ltd	SPORLE	3PL/2015/0788/F

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ITEM	1	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0147/F	CASE OFFICER: Gary Hancox
LOCATION:	CASTON Land East of Walnut Tree Cottage Attleborough Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	MMC Norfolk Ltd Willow Tree Barn Attleborough Road	
AGENT:	Mr Stephen Bush The Corner Lodge 2 Church Lane	
PROPOSAL:	Erection of 4 dwellings (amended from 8 dwellings)	

KEY ISSUES

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

DESCRIPTION OF DEVELOPMENT

This full application (as amended) proposes the residential development of the site to provide four detached dwellings, access and garaging. The proposed dwellings include two storey houses and chalet style bungalows with rooms in the roof. The majority of existing overgrown vegetation on the site is to be removed. The native hedges to the boundaries of the site will be supplemented with additional planting. Access to the site would be via a newly constructed private drive off Attleborough Road, and this takes account of Members' previous recommendation. Dwellings would be constructed in facing bricks and flint with traditional pantiles to the roofs.

SITE AND LOCATION

The application site is located at the eastern end of the village outside but adjacent to the defined settlement boundary. The overall site area is approximately 0.28 hectares and comprises paddock/grassland with overgrown shrubs and bushes across the site and more mature trees on its boundaries. Beyond the site to the east is a stream, and as a consequence part of the site lies within Flood Zones 2 and 3. Taking into account these constraints, the developable area of the site is approximately 0.18 hectares.

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EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2002/0374/O - Erection of 2 dwellings - Refused June 2002. Appeal dismissed.
3PL/2006/0018/O - Residential development of 8 dwellings - Withdrawn.

POLICY CONSIDERATIONS

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

CP.01	Housing
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.14	Energy Efficiency
DC.16	Design
NP	Neighbourhood Plan - None applicable
NPPF	With particular regard to paras. 7, 8, 12, 49, 58, 59 and 64
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

The developable area of the site, excluding the flood zone and the root protection area of the protected tree adjacent the site, amounts to 0.18 hectares (total site size 0.28 hectares). On sites of more than 0.17 hectares where less than five dwellings are proposed, Core Strategy Policy DC4 requires that 40% of the dwellings proposed be affordable. (One dwelling in this case.) However, given that the developable area of the site is only just over the 0.17 threshold, and taking into account site constraints and the edge of village location, a requirement for a single detached affordable dwelling is not considered justifiable. Furthermore, a development of four dwellings is not an attempt by the applicant to avoid providing affordable housing; it is an attempt to make best use of the land available having regard to its context and taking on board comments from Members of the Planning Committee.

CONSULTATIONS

CASTON P C -

Overview

The parishioners of Caston would prefer that this plot be developed in linear format with a maximum of three properties (or two semi-detached) and no backfilling of the plot. Caston is

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predominantly a village with linear development parallel to existing roads. The parishioners do not wish to see available plots being developed with back-filling.

Parish Council Decision

After consultation with the applicant Caston Parish Council, by majority decision, are in support of this proposal subject to certain conditions, which have been agreed between Caston PC and the developer, being imposed on the development.

These are:

1. Service roads to be of sufficient width to enable service vehicles, such as refuse collecting wagons, to be able to access the properties.
2. Low hedging to be placed along the border with the existing pavement to encourage vehicular use of the service road and deter parking on the main road through the village. This should also deter people from stepping across from the pavement onto the service road.
3. All property boundaries to consist of hedging maintained at low level to the property fronts. No hard fencing to be used on any properties, front or rear.
4. Covenants to be placed on all the houses to prevent further extensions being added to the buildings.
5. The finish facing of house exteriors to be sympathetic to a Breckland village such as stone and / or / with flint finish in whole or in part.

General Comment

Caston Parish Council have concerns regarding the continuing development of the village in that the settlement has few facilities, a pub, a church and a village hall. Transport links are poor and there are no support services other than those already over subscribed in the town of Watton some four miles distant. There are already development proposals that will provide a further eleven dwellings within the village.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to appropriate conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objections subject to conditions in respect of tree protection.

CONTAMINATED LAND OFFICER

No objection.

ENVIRONMENT AGENCY

No objection, subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

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No objection.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

It is considered that there are no likely ecological issues in regards to the above application, provided the mitigation measures, set out in the Section 6 Recommendations and Ecological Enhancements of the Ecological Appraisal (Aspect Ecology, April 2015), are adhered to.

HOUSING ENABLING OFFICER

Breckland's adopted policy DC4 requires affordable housing provision where the site is 5+ units, or exceeds 0.17ha. As this site is 0.20ha, it falls within DC4 and affordable housing is required, in the form of 1 unit of onsite provision. To provide affordability in perpetuity, this should be transferred to an RP at a price which assumes no public subsidy is payable, secured by a S106 agreement, and built to HCA standards.

EAST HARLING I D B

In the absence of sufficient information to review the drainage proposals, and information on the Sequential Test, the Board OBJECTS to the proposed development.

The development is shown as being immediately adjacent to the watercourse, the Boards bylaws prohibit development within 7m of the river bank without the Consent of the Board.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

There is one area of concern.

Plots 1, 3, and 4 do not have any surveillance onto the individual car parking plots from active windows.

The National Planning Policy Framework requires that: 'Planning policies and decisions should aim to ensure that developments: create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

ANGLIAN WATER SERVICE - No Comments Received

REPRESENTATIONS

Original Plans:

13 letters of objection received

- drainage concerns
- not in keeping
- would set a precedent for additional expansion
- over-development
- unjustified development
- traffic impact
- impact on amenity of adjoining dwelling

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Amended plans:
To be updated at Committee

ASSESSMENT NOTES

1.0 Background

1.1 This application was deferred at Planning Committee on the 24 August 2015. Whilst accepting the principle of development on the site, Members resolved to defer the application to allow for amended access proposals to be considered and agreed. The application has been amended by the applicant and now includes an internal service road to serve the site utilising the same access point onto Attleborough Road. The number of dwellings proposed has increased from three to four.

1.2 The application is referred to Planning Committee as a departure from the Development Plan

2.0 Development Plan

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Practice Guidance.

3.0 Principle of development (Sustainability)

3.1 The application site is located outside the defined settlement boundary. For this reason the proposal conflicts in principle with Policies DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries. However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.7 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

3.2 The Government defines sustainable development as having three roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services; and
- environmental, through the protection and enhancement of the natural, built and historic environment.

3.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

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3.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

3.5 In terms of the economic and social criteria, the proposal would provide 4 dwellings for market sale. The development of this site would therefore make a positive, albeit modest, contribution to the housing supply shortfall and provide some short-term economic benefits through its construction. With regard to availability and deliverability, the application is in full and the site would appear to be available now, making the development deliverable within 5 years to meet the housing shortfall. It is appropriate that the time limits of any planning permission in the site are reduced and this would be in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme. These considerations weigh in favour of the proposal.

3.6 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Local services in Caston include a school, village hall, church and pub. The applicant advises that the village hall offers a range of facilities including, Coffee Mornings, Dog Training, Gardening Workshops, Art Classes, and Keep Fit. In terms of public transport, Caston is served by a school bus to Wayland Academy and the No 81 which operates four times daily (excluding weekends) from Caston Green (approximately five minutes walk from the application site). This service connects Watton with Thetford. Local village facilities, including the bus stop, can be accessed on foot via the existing footpath adjacent the site. The village of Rockland is approximately 1.5 miles away, and includes a primary school, community store and post office. Wayland Academy is approximately 3 miles away, and there is a bus service to this school. The bus services linking the site to these local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development.

3.7 A further material consideration in respect of sustainability is a recent appeal decision for a development of 3 dwellings in Northacre, Caston. The Inspector concluded that the site (300 metres from the school) was not a sustainable location for housing. However, it would appear that only limited evidence in respect to local facilities and services was before the Inspector, noting the absence of reference to a number of sustainable aspects of the proposal referred above at paragraph 2.6. The current application includes significantly more supporting information in relation to accessible services than that considered by the Inspector regarding Northacre. The appeal site at Northacre does not have the benefit of a footpath connection to the village. Moreover, the Northacre site is set some distance further from the village facilities (other than the school) than the subject site. It is clear that the site context, and the sustainability credentials of the two sites, are different. It is concluded that the site represents a sufficiently sustainable location.

4.0 Impact on the Character and Appearance of the Area

4.1 The environmental role of sustainable development seeks to, in part, contribute towards protecting and enhancing the natural, built and historic environment. Consideration of a

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proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. The site comprises open grassland and trees which contribute to the rural character of the area and the relatively open setting of this edge of village location. The development of the site would therefore have a degree of negative impact in terms of the loss of open green space that currently provides a soft edge to the existing built form. An amended scheme of four dwellings utilising all of the developable area and incorporating an internal service road has now been submitted, and although extending further into the site beyond the existing building line to the west, the impact on the character of the area will still be limited. Importantly, the scheme maintains a street frontage and allows for existing vegetation to the east and west boundaries to be retained.

4.2 Core Strategy Policies CP11, DC16 and paragraphs 59 and 63 of the NPPF requires development to be a high quality design that fully considers the context in which it sits, contributes to a sense of local distinctiveness and complement the natural landscape and built form that surrounds it. All proposals should preserve or enhance the existing character of the area. The site is in a prominent location at the entrance to the village, and due to its semi-open nature vegetation to its boundaries, it contributes towards the setting of the village.

4.3 Policy CP11 requires assessment of new development to have regard to the Landscape Character Assessment 2007 (LCA). The LCA identifies the site as being located in the 'Thet Settled Tributary Farmland' area. The identified area comprises a narrow band of gently undulating farmland intersected by tributaries draining southwards into the River Thet. The character area extends from Thompson in the west to Attleborough in the east. The LCA describes the farmland as a medium scale, semi enclosed landscape, defined by the arable agricultural land use. In terms of the impact on the wider landscape character area, the site relates well to the village and would have limited intrusion into the open countryside.

4.4 One of the four 'development considerations' set out in the LCA is to ensure that new development reflects the existing 'material and stylistic vernacular' within settlements and that their individual and separate identities are preserved. The above assessment suggests that the proposed development would be reflective of the existing material and stylistic vernacular of the neighbouring built form and it is therefore concluded that the application is not in conflict with the LCA.

4.5 The development adjacent the application site is characterised by linear development of traditional form and scale. The application (as amended) now proposes 4 dwellings (two of which will front onto Attleborough Road) and although not completely reflective of the existing built form at this edge of village location, the proposed scale, siting, front setbacks and detached nature of development are consistent with neighbouring development.

4.6 The applicants have taken on board the concerns of Members of the Planning Committee and the Parish Council and have included in their amended layout an internal service road from a single point of access. This will minimise the risk of on-street parking. Vehicle accommodation is located to the side of the dwellings, and subject to appropriate surfacing materials being used for the service road, the layout represents a preferred streetscene response and one that will make a positive contribution to the character of the village setting.

4.7 On the basis of the above assessment it is concluded that the proposal will not result in significant harm to the character of the area, responding favourably to Core Strategy Policies CP11, DC01 and DC16 and paragraphs 59 and 63 of the NPPF.

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5.0 Amenity

5.1 The site is bounded by existing development to the west. The submitted layout shows that the proposed dwellings can be accommodated successfully without significantly harming the amenities of these neighbouring properties. First floor windows to plot 4 will serve a bathroom and dressing room and can be conditioned to be obscure glazed. Plot 1 has no windows at first floor level. On this basis the proposal has adequately demonstrated that the proposal accords with the requirements of Core Strategy Policy DC01.

6.0 Highway Safety

6.1 Access to the site is via a newly created access off the Attleborough Road. The junction has been sited to allow for adequate visibility splays and no objection has been raised by the Highway Authority. The scheme is therefore considered acceptable in terms of highway safety.

7.0 Trees/Ecology

7.1 A full ecological appraisal has been submitted with the application, along with an Arboricultural Impact Assessment (AIA). Provided that the development is undertaken in accordance with the AIA and the mitigation set out in the Ecological Appraisal, no objection to the development is raised by the Consultant Ecologist or the Tree and Countryside Consultant. The application accords with both Core Strategy policy CP10 and the NPPF in this regard.

8.0 Other matters

8.1 The comments of the Parish Council and local residents have been taken into account in the consideration of this application.

8.2 Although part of the site is within Flood Zones 2 and 3, a Flood Risk Assessment has adequately demonstrated that the proposed development would be outside of these areas (in Flood Zone 1). It is noted that the Internal Drainage Board (IDB) have raised an objection to the application on the grounds of there being insufficient information to be able to adequately review the proposal. However, the Environment Agency (the statutory authority dealing with flood risk at the time of the application being submitted) raises no objection to the application, which is considered to accord with paragraph 9 of the Technical Guide to the NPPF, and Core Strategy policy DC13. Conditions will be appended to any permission requiring precise details of foul and surface water drainage.

9.0 Conclusion

9.1 The proposed scheme will contribute towards the five-year supply of housing, generate some economic activity and is in a sustainable location adjacent a village with facilities and transport connections to other settlements and facilities. The 4 dwelling development would not cause significant harm to the character and appearance of the area, nor would it significantly harm the amenities of neighbouring properties. On balance, it is concluded that the adverse impacts of the

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proposal would not significantly and demonstrably outweigh its benefits. The application accords with Policies CP11, DC16 of the Core Strategy and paragraphs 7, 8, 12, 49, 58, 59 and 64 of the NPPF. Consequently, the application can be approved.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Reduced time limit (2 years)
- 3046** In accordance with submitted
- 3106** External materials and samples to be approved
- 3140** Prior approval of slab level
- 3402** Boundary screening to be agreed
- 3408** Landscaping - details and implementation
- 3414** Fencing protection for existing trees
- HA08** New access - construction over verge
- HA20** Provision of visibility splays - conditioned
- HA24** Provision of parking and servicing - when shown on plan
- 3214** Obscure glass
- PD01** No additional windows at first floor
- 3250** In accordance with ecological mitigation
- 3802** Precise details of surface water disposal
- 3804** Precise details of foul water disposal
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2001** Application Approved Following Revisions
- 2014** Criterion E - Planning Apps Where Approved

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ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0378/F	CASE OFFICER: Nick Moys
LOCATION:	NORTH PICKENHAM The Airfield Hilborough Road	APPN TYPE: Full POLICY: ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Bernard Matthews Ltd Gt Witchingham Hall Norwich	
AGENT:	Mr George Youngs Gt Witchingham Hall Norwich	
PROPOSAL:	Erection of anaerobic digestion plant	

KEY ISSUES

Landscape impact
Traffic
Pollution
Amenity

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for an Anaerobic Digestion (AD) Plant. The scheme includes three digestate tanks and associated equipment, a combined heat and power (CHP) plant and silage clamps for feedstock storage. Access to the plant would be gained from North Pickenham Road via an existing entrance to an adjacent poultry farm and a new internal access road.

It is intended that the AD Plant would convert locally-sourced biomass into biogas which would be transferred directly to the National Grid. It is understood that the proposal would generate sufficient biogas to fuel around 17,000 homes. Feedstock would comprise maize silage/energy beet (40,270 tonnes/annum) and turkey litter (9,730/annum). Dry and liquid digestate produced by the plant would be spread on local farmland as a fertiliser/soil conditioner.

The application is supported by a number of technical reports including a Planning Statement, Transport Statement, Landscape and Visual Assessment, Noise Assessment, Air Quality Assessment, Odour Assessment, Ecological Appraisal, Contamination Report and Flood Risk Assessment.

SITE AND LOCATION

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The site is situated within an area of generally open countryside, approximately 900 metres to the north-west of the village of North Pickenham. The application site comprises an area of open undeveloped land on the northern edge of the former North Pickenham Airfield. The former Airfield site includes various commercial developments, and a number of poultry houses and large wind turbines.

The site is bounded to the north by the North Pickenham Road, to the east by Swaffham Road, to the south by a go-karting centre and to the west by poultry units. The boundaries of the site are mainly defined by established trees and hedges. The Peddars Way long distance path runs just to the east of the site.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

No relevant site history.

POLICY CONSIDERATIONS

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

CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.12	Energy
DC.01	Protection of Amenity
DC.15	Renewable Energy
NP	Neighbourhood Plan - None applicable
NPPF	With particular regard to paras.6-14, 17, 28, 32, 93, 96-98 and 109.
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

Not Applicable.

CONSULTATIONS

NORTH PICKENHAM P C -

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Original comments:

Please see below comments from our Parish Councillors:

1) I would like to have objected - it being B Matthews but I have to be honest and say it's a good idea.

2) The pros of AD's seem to outweigh the cons; but I am concerned that the 3 domes will be an horrendous eyesore especially as they are being sited so close to the road and it is so close to the Peddars Way - an attractive walking route that brings so many visitors to our area. All the other evidence I have read elsewhere suggest that they can be sited underground. I am also concerned that the prospective new trees seem to screen it more from the BM plant than they do from the road. I am further concerned about the potential smell and the increase of heavy traffic on an unsuitable road.

3) The principle is sound but the trees for the screening of the domes will take years to have an effect on partially hiding the domes. Are they going to have a fund similar to the Windfarm Trust??

4) If they can guarantee that all the road improvements are made at Bernard Matthews expense and are completed in full as per the proposal then the increased traffic shouldn't be an issue.

5) It looks a good prospect for Bernard Matthews but nothing for the community of North Pickenham. The passing places are a good idea if done under Highway regulations and supervision. The storage units must be vermin free and secure, if any smell from the site was reported I would like to think that BDC would investigate immediately and the noise of the machinery if reported would get the same response.

I think that until the trees can screen the plant it will be an eyesore. The passing places should be completed before work on site is started, otherwise the verges will be eroded away and be in a worse condition than what they are now.

Subsequent comments:

The Parish Council would like to formally withdraw their comments previously submitted.

Please see below the comments the Council would like to submit to the planning department.

Due to the short amount of time that the Parish Council had to review the original application we were happy for it to go ahead. Since then and with more of an informed decision the North Pickenham Parish Council unanimously object to the application.

We feel that we were misled on every aspect of the plans and information provided and have since been able to make a more informed decision once we had been able to see the Highways report.

The vehicle access, noise from the plant itself as well as noise of the vehicles, the number of heavy trucks/lorries and continuous use of the road will far exceed what was stated in the PA along with the animal waste/effluent going straight into the drainage system which was not previously conveyed.

SPORLE P C -

No objections in principle to the digester system. However, the members of the Parish Council have serious concerns that its construction will result in an increase in heavy vehicle traffic

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through the village (from local farms through to the site of the digester). This will consequently result in swifter deterioration of the local road surfaces which are already in a poor state and are far down the queue when it comes to being repaired. There is already congestion in the village main street caused by local resident and visitor parking and there are occasions when large vehicles have great difficulty in getting through.

SWAFFHAM TOWN COUNCIL -

At a recent Town Council meeting Councillors resolved to have no objection to the application provided that consideration was given to traffic movements. Councillors agreed to make the comment that vehicles delivering to the plant should not come through Swaffham.

HISTORIC ENVIRONMENT SERVICE

Following pre application consultation a programme of archaeological trial trenching and metal detecting has been carried out on the site. We have not yet received a final report relating to the pre-application work, however early indications suggest the potential for earlier archaeological remains is low, while metal detecting has confirmed the presence of artefacts relating to the airfield.

Given the high potential for information relating to the use of the airfield from artefactual evidence, we therefore ask that if planning permission is granted this be subject to a programme of archaeological work in accordance with National Planning Policy Framework para. 141.

RAMBLERS ASSOCIATION: NORFOLK AREA

The Ramblers has two major concerns about this application - visual impact on the nearby Peddars Way, and conflict between users of the Peddars Way and the HGV traffic to the site.

ENVIRONMENT AGENCY

No objections subject to conditions.

NORFOLK COUNTY COUNCIL HIGHWAYS

Original comments

The Highway Authority recommends without hesitation that this application be refused for the following reason -

The highway network serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment / restricted width / lack of passing provision / substandard construction / restricted forward visibility. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. Contrary to Development Plan Policies.

Means of overcoming the problem

As stated at informal stage in August 2014, if the applicants were able to widen the narrow section of road, then the Highway Authority would be prepared to re-examine its recommendation.

Subsequent comments

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The Highway Authority maintains its previous objection.

TREE AND COUNTRYSIDE CONSULTANT

Please request a tree survey, arboricultural impact assessment and tree protection plan which should include all trees within 15m of the proposed site and access. This should be in accordance with BS5837:2012

ECOLOGICAL AND BIODIVERSITY CONSULTANT

It is considered that the Ecology Report sufficiently considers and mitigates for the protected species issues on site. The comments should be adhered to throughout development.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to condition in respect of feedstock materials

CONTAMINATED LAND OFFICER

No objection subject to condition regarding unexpected contamination

AIR QUALITY OFFICER

Based on results given in revised report which includes biomass boilers on site, there are no objection on grounds of air quality.

NATURAL ENGLAND - No Comments Received

NORFOLK WILDLIFE TRUST - No Comments Received

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

None.

ASSESSMENT NOTES

1.0 This application is referred to Planning Committee as a major development proposal.

2.0 Principle of development

2.1 National planning policy gives strong encouragement to renewable energy projects. Paragraph 97 of the NPPF states that in order to increase the use and supply of renewable energy, planning authorities should, amongst other things, adopt a positive strategy towards renewable energy projects, and should design their policies to maximise renewable energy development, while ensuring that adverse impacts are addressed satisfactorily, including

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landscape effects. The NPFF goes on to say, in paragraph 98, that applications should be approved if impacts are (or can be made) acceptable. The Planning Practice Guidance advises that key considerations for the siting of biomass projects will include the proximity of grid connection infrastructure and transport links. The Government's 'Anaerobic digestion strategy and action plan' (2011) seeks to promote an increase in the production of energy from waste through AD.

2.2 Relevant Development Plan policies include Core Strategy Policies DC15, CP11 and DC1. Policy DC15 says that proposals for renewable energy development will be supported in principle, and that permission will be granted unless there would be significant adverse effects on the landscape, local amenity, traffic or designated sites. Policies CP11 and DC1 seek respectively to protect rural landscapes for their intrinsic beauty and to avoid harm to the amenities of local residents.

2.3 The proposed development is therefore acceptable in principle, subject to consideration of the landscape, traffic, amenity and other local environmental impacts.

3.0 Landscape impact

3.1 The application site falls within the North Pickenham Plateau Landscape Character Area Type E5, as defined in the Council's Landscape Character Assessment (2007). This is a predominantly arable landscape, with little evidence of settlement, other than isolated farms and the network of rural lanes. Land forms are generally flat and elevated, affording extensive open views. Existing developments on the former North Pickenham Airfield, including commercial uses, wind turbines and the mast tower, are identified as notable features in the southern part of the character area. Key development management considerations include the maintenance of the historically sparse pattern of development, the protection of long views and skylines, and the maintenance of the rural character of country lanes.

3.2 The application site comprises an area of open grassland on the edge of the former Airfield. The land is generally enclosed by established hedgerows and trees, though there are some gaps. The site is gently sloping, and the proposed AD Plant would be located towards a low point in the landscape. Dominant features in the immediate vicinity include a number of large wind turbines and a mast tower.

3.3 The proposed AD Plant would be not insubstantial in size: it would cover an area of around 2 hectares and would be commercial in scale. The main visual component would be the three digestion tanks and gas domes above, which would be 12.5-13 metres high in total. This element of the plant would be largely screened in views from the south and west by the existing landform and vegetation, but would be visible in views from the north and east, including from adjacent roads and the Peddars Way footpath.

3.4 To mitigate the visual impact of the development, additional landscaping is proposed to reinforce boundary hedging and to thicken existing vegetation with blocks of tree planting. The digestion tanks would also be sunk into the ground by around 3.8 metres and an earth bund would be formed to provide additional screening. The bund would be constructed to a height of 3 metres, graded to integrate with adjacent land forms and densely planted with native vegetation.

3.5 The proposed plant would nevertheless be a noticeable feature in the immediate vicinity of

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the site, particularly in the short term, and this would cause some harm to existing open views, including from the Peddars Way path. However, this harm would be reduced as a result of the softening effect of new planting, which in time would help to integrate the development into its landscape setting. The proposed bunding would conceal views of the lower parts of the AD plant including the clutter of ancillary development. The gas domes would project above skyline from certain viewpoints, but only marginally, and they would be seen against a backdrop of existing hedging/trees and in the context of existing large wind turbines, which tend to draw the eye because of their scale. The simple form of the development and the use of recessive colours would also help to mitigate its impact, and in the context of existing commercial, agricultural and energy development nearby, the proposal would not appear as an alien feature. The harm caused to the landscape would not be inordinate therefore.

4.0 Traffic

4.1 The Highway Authority objected to the application, as originally submitted, on the grounds that the local road network would not be suitable to cater for the level of additional traffic likely to be generated due to its poor alignment and restricted width. Although extensive off-site improvements were proposed to Whitegate Road (which links the site to the A47 via North Pickenham Road), these mitigation works were deemed to be insufficient as an existing pinch point would remain.

4.2 It is arguable whether rejection of the proposal on traffic grounds would have been justified on this basis, given the level of increased traffic expected and the general benefit of the proposed improvements. However, in any case, alternative traffic proposals have been submitted during the course of the application. The changes proposed follow agreement being reached between the applicant and the South Pickenham Estate on the supply of feedstock and use of digestate. The proposed AD plant would be centrally located within the Estate, which farms extensive areas in the locality.

4.3 The majority of anticipated traffic movements would be generated by the transport of maize silage and energy beet. This would amount to some 2,237 trips/annum by tractor and trailer, most of which would take place in a 4-6 week period at harvest time. Feedstock would be stored in the proposed on-site silage clamps or held at suitable storage/transfer points around the Estate. As these crops would be transported on the local road network in any event, the AD Plant would not itself result in any material increase in traffic levels on the local highway network.

4.4 Turkey litter would be transferred from adjacent poultry sheds directly to the AD Plant, eliminating around 600 traffic movements on the local highway network. Dry digestate from the AD Plant would be generate around 278 movements/annum, although this figure could be reduced to an extent by back hauling following the delivery of energy crops. Liquid digestate would be piped directly to an off-site lagoon.

4.5 Taking these considerations into account, the applicant calculates the net increase of traffic on the local road network would amount to some 320 additional large vehicle movements per annum. Even with seasonal variations, it is not considered that this level of additional traffic would be likely to have any significant impact on road conditions or necessitate road improvements on the wider local road network. Whilst the proposal would result in a noticeable increase in traffic movements into and out of the site access (in excess of 2,237 movements/annum), the existing access is well established and is of a good standard with

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adequate visibility, as is the adjacent section of North Pickenham Road.

4.6 Discussions with the applicant in relation to the supply of feedstock are on-going. It is envisaged that a section 106 agreement will be required in order to ensure that feedstock is sourced locally, as proposed. In the event that it was no longer possible to source feedstock from the South Pickenham Estate, then the originally proposed road improvements, or comparable mitigation, would be required. Any further comments on the revised proposals from the Highway Authority will be reported.

5.0 Amenity

5.1 AD Plant operations have the potential to affect local amenity as a result of noise generated by plant/machinery and traffic movements, and due to odours associated with the storage and handling of feedstocks. However, the application site is relatively remote from residential property, the closest dwellings being located some 620 metres to the east. The main built up area of North Pickenham is located about 900 metres away.

5.2 Odour and Noise Assessment Reports submitted in support of the application indicate that emissions would not have any significant effect on local properties. Various measures are proposed to control emissions, including the covering of feedstock and providing an acoustic enclosure to the CHP Plant. As the proposal will not require an Environmental Permit as no non-agricultural waste will be processed, planning conditions are recommended requiring approval and implementation of noise and odour management regimes. The Environmental Health Officer has raised no objection to the application.

6.0 Pollution

6.1 Objections were raised by the Environment Agency to the original proposal on the grounds that the proposal would pose an unacceptable risk to ground water due to its location in relation to aquifers and source protection zones. In response the applicant has submitted further information about pollution control measures, including the bunding of tanks and the collection of run off into a sealed system. On this basis the Environment Agency has withdrawn its objection subject to conditions relating to ground investigation, drainage and pollution control measures.

7.0 Other matters

7.1 The submitted Ecological Appraisal notes that the site has low potential to accommodate protected species. Existing trees and hedges would be largely retained. Subject to appropriate controls on external lighting, and the various mitigation and enhancement measures proposed, it is considered that the proposal would not have an unacceptable impact on wildlife.

7.2 An Arboricultural Implications Assessment has been submitted which indicates that although some trees would be removed to enable the construction of an internal access road, the loss of these trees, which form part of a larger tree belt, would have only a very limited landscape impact.

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8.0 Conclusion

8.1 The use of AD for producing sustainable energy is given strong encouragement by national planning policies. The NPPF also recognises that even small scale projects can make a valuable contribution in these respects. The proposal would assist in meeting targets for renewable energy generation, including through AD, and would contribute to a reduction in green house gas emissions. Significant weight must therefore be given to the renewable energy benefits of the proposal in the overall planning balance.

8.2 National and local policy also require consideration to be given to environmental effects and access. In this respect it is noted that the proposal would cause some harm to landscape views and would thus conflict with Policy CP11. However, for the reasons set out above, this harm would not be significant, and would be mitigated by new landscaping. Weighed against the benefits of the proposal, the harm to landscape would not amount to a compelling reason for refusal. Additionally, it is noted that Policy CP11 is not entirely consistent with the NPPF and so must be weighted accordingly.

8.3 Additional vehicular movements would be generated on local roads by the proposal, but subject to the local sourcing of feedstock, the level of extra traffic would not be significant. The NPPF states that development should only be prevented on highway grounds where the residual impacts would be severe.

8.4 The proposal would also be relatively remote for residential property, and there is nothing to suggest that odour and noise emissions could not be managed to avoid harm to local amenities. Risks to groundwater can be mitigated. Consequently, the proposal would not conflict with Policy DC1.

8.5 Taking these matters into account, and subject to suitable controls on the sourcing/transport of feedstock, it is concluded that the proposal would comply with Core Strategy Policy DC15 and would represent a sustainable development to which the presumption in favour would apply. It is recommended therefore that planning permission is granted subject to conditions and the completion of a section 106 agreement.

8.6 Delegated authority is requested for the application to be refused by the Council's Planning Manager if the legal formalities in respect of the Section 106 are not completed within three months of the date of this decision or that the Planning Manager has the authority to agree another more appropriate time scale for the completion of any such agreement.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3047** In accordance with submitted
- 3104** External materials to be approved
- 3140** Prior approval of slab level
Landscaping - details and implementation

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- 3408**
- 3935** Noise management scheme
- 3935** Odour management scheme
- 3548** Full details of external lighting
- AR01** Archaeological work to be agreed
- 3935** Ecological mitigation
- 3935** Feedstock limits
- 3740** Any highway conditions
- CL01** Site Investigation/ remediation
- CL03** Unexpected Contamination
- 3860** Pollution control measures
- 3860** Pollution control measures
- 3860** Foundation design
- 3870** Surface water drainage
- 2001** Application Approved Following Revisions
- 3992** Non-standard note re: S106
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans
- 2014** Criterion E - Planning Apps Where Approved

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ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0441/F	CASE OFFICER: Chris Hobson
LOCATION:	GREAT ELLINGHAM Long Street	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: Open Space CONS AREA: N TPO: N LB GRADE: Adjacent Grade 2
APPLICANT:	Melton Farms Penhill Farm Penhill Road	
AGENT:	Roberts Molloy Associates 3 Church Lane Bressingham	
PROPOSAL:	Erection of 12 new dwellings with associated garages and parking. Three new Highways accesses. Public open space.	

KEY ISSUES

Principle of residential development
Loss of open space
Design, impact on character and appearance of the surrounding area
Neighbour amenity
Highway safety / Traffic implications
Impact on ecology / Nature conservation interests
Affordable housing, viability & deliverability
Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of 12 dwellings on open agricultural land at Town Green, Great Ellingham. The proposed dwellings would comprise a mix of single and two storey detached dwellings providing, three no. two bedroom dwellings, four no. three bedroom dwellings, and five no. four bedroom dwellings. The application also proposes to provide an area of publicly accessible landscape open space in the northern corner of the site for which an indicative layout has been provided. The proposed dwellings would follow traditional design cues and utilise a mix of brick and render and red clay pantiles, plain tiles, and grey slate.

It is proposed to provide three access points on to Long Street running to the east of the site. The southernmost access providing access to a single three bedroom bungalow (plot 1). The centrally located access would provide access to eight no. dwellings to be sited towards the perimeter of the application site and set around a central shared access and courtyard area. The third and most northerly access point would provide shared access to a short row of three no. two bedroom, two storey terraced houses (plots 10-12). These would be sited roughly east to west fronting south on the shared parking area, with the area of public open space located to the rear (north).

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SITE AND LOCATION

The application site comprises a triangular piece of private agricultural land approximately 0.83 Ha in area within the village of Great Ellingham. The site is located towards the centre of the village and is bounded by Long Street to the east and Town Green to the west. The site comprises an open field last used for sheep grazing and is part of the Melton Farm holdings, operating from Penhill Farm, Penhill Road, to the southwest of the village. The site is bordered on all three sides by mature hedgerows, with a group of bungalow and dormer bungalow dwellings located immediately to the south of the site. The village of Great Ellingham extends largely in a linear fashion along highway edges further to the north and south and comprises a mix of traditional and more modern single and two storey dwellings. The site sits just outside of and abuts the settlement boundary of Great Ellingham which runs around the site to the south, east and west, and is defined as open space within the Core Strategy.

EIA REQUIRED

No

RELEVANT SITE HISTORY

There is no recent relevant planning history at the site

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.04	Infrastructure
CP.05	Developer Obligations
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.13	Flood Risk
DC.14	Energy Efficiency
DC.16	Design
NP	Neighbourhood Plan - None applicable
NPPF	With particular regard to paras. 7, 8, 11 - 14, 28, 29, 30, 32, 34, 35, 37, 47, 49, 50, 54, 55, 56, 58 - 61, 63 - 65, 69, 70, 73, 74, 93-96, 100 - 103, 109, 11, 112, 118, 120 - 123, 125, 126, 128-132, 134, 135, 144, 186, 187, 196, 197,

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203 - 206.

NPPG

National Planning Practice Guidance

CIL / OBLIGATIONS

The proposed development of this scale and nature would require the provision of the following planning obligations:

- Provision for outdoor play and sports provision as required by Policy DC11 of the Core Strategy;
- The provision of 40% of the dwellings for affordable housing as required by Policy DC04 of the Core Strategy

The applicants have submitted a Viability Report which highlights that in providing the required proportion of affordable housing units within the scheme the proposed development would not be viable and would not come forward. In addition that the proposed development would be only marginally viable where no affordable housing would be provided. The proportion of affordable housing to be provided remains under discussions and Members will be updated of conclusions at Committee.

In terms of open space, and outdoor space for children's play and sport, policy DC04 requires contributions to be made towards provision off-site. However, in this instance it is proposed to provide an area of public open space on site in the northern corner of the site. This area would be triangular in shape extending to approximately 900m² in size and be accessible to the public and occupiers of the proposed dwellings. This would meet the quantitative requirement for open space required by Policy DC11 which would require off-site contributions equivalent to 744 m² of open space.

The applicant has agreed to enter into a Section 106 Agreement which would secure the provision of 25% of the dwellings for occupation on an affordable basis, along with an overage clause to clawback any value. The agreement would also secure the submission of a scheme for the design, implementation, and maintenance of the landscape open space, including the provision of and maintenance of children's play equipment.

The above obligations would meet the tests set out in section 122 of the Community Infrastructure Levy Regulations 2010, in that they would meet the need generated by the development; they are necessary to make the development acceptable in planning terms; would be directly related to the development; and of scale and type that is fairly and reasonably related to the scale and nature of the development proposed.

CONSULTATIONS

GREAT ELLINGHAM P C -

The Great Ellingham Parish Council supports this application.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

From a crime prevention point of view this proposed build is largely very good, it incorporates good natural surveillance onto the car parking and public areas. The cul de sac design with all the dwellings looking over the public area of the street means that they all face the centre of the

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site putting any potential offender on full view. With a no through route it gives the residents a feeling of ownership over the public place and will, in effect, mean that they 'police' the areas themselves. It encourages a feeling of community and discourages anyone intent on criminal behaviour as not only are they likely to be seen by residents and potentially challenged - but they have nowhere to go within the development. This development could easily attain a full secure by design award with a few minor tweaks.

HOUSING ENABLING OFFICER

The submitted viability study should be tested by the District Valuer to confirm the site is unable to meet the requirements of Breckland's adopted Policy DC04. If this testing confirms that no on-site provision can be made, an overage clause will be required to cover the eventuality that the scheme exceeds the benchmark valuation set by the DV.

ENVIRONMENT AGENCY

We consider that planning permission could be granted to the proposed development as submitted subject to appropriate conditions

ANGLIAN WATER SERVICE

The Ellingham Water Recycling Centre/sewerage system will have available capacity for these flows. Notice to connect to system required. Surface water strategy should be conditioned in any planning approval.

Note: Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence

NATURAL ENGLAND

Natural England has no comments to make regarding this application.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No comment

HISTORIC BUILDINGS CONSULTANT

No objection

TREE AND COUNTRYSIDE CONSULTANT

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No objection subject to an arboricultural method statement and tree protection plan

ENVIRONMENTAL PLANNING

Due to the lack of five year housing land supply in Breckland, we do not wish to object to the principle of the proposed development. It is also considered that the open space designation should not be used as a sole reason to object to the development given the land is not publicly assessable. The loss of amenity value is considered to be relevant to this application although this could be partially compensated through providing a small parcel of land for public use.

This comment is made from planning policy perspective and wider considerations should be taken before a decision can be made to grant a planning permission.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to conditions restricting the hours of construction and the maximum noise levels

CONTAMINATED LAND OFFICER

No objections subject to conditions securing site investigation and risk assessment report

NORFOLK WILDLIFE TRUST - No Comments Received

REPRESENTATIONS

The Council has received 10 representations supporting the planning application and five representations raising objections to the proposed development. The representations raised the following matters:

Positive comments:

- The proposal would make use of a barren and untidy piece of land and should be supported.
- The proposal would provide small scale housing development within the village.
- The housing is well considered and would be suitable for a variety of people.
- The proposal would provide much needed affordable housing.
- The provision of public open space would be of huge benefit.
- The dwellings would support local services and amenities including the post office and public house.

Adverse comments:

- Detrimental impact on highway safety caused by increase in traffic and additional parking and obstructions on Long Street.

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- Development is overly dense and does not reflect the rural surroundings and would change the character of the area.
- Overlooking from first floor windows.
- Consideration of the boundary treatments is required.
- Consideration of impact on adjacent mains transformer needs to be taken into account.
- The development of houses would prejudice the re-use of the village hall.
- The proposals would adversely affect wildlife.
- Local services in Watton are already inadequate.
- Restrictions on construction hours would be necessary.
- Overdevelopment of housing within the village.
- Site was designated as open space to provide openness and breathing space within the village and this should not be ignored.

ASSESSMENT NOTES

1.0 This application is referred to Planning Committee as it is a major application, contrary to policy and has been requested to be considered by the local Ward Representative

2.0 Principle of Residential Development

2.1 The application site is located outside of the Great Ellingham Settlement Boundary as designated by the adopted Core Strategy and Development Control Policies Development Plan Document (2009). For this reason the proposal conflicts in principle with Policies DC02 and CP14 of the Core Strategy and Development Control Policies Development Plan Document which seeks to focus new housing within defined Settlement Boundaries. However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.72 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

2.2 The Government defines sustainable development as having three broad roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- environmental, through the protection and enhancement of the natural, built and historic environment

2.3 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required. In terms of the economic and social criteria, the proposal would provide 12 new dwellings and would therefore make a positive, albeit modest, contribution to the housing supply shortfall. The proposal would provide short-term economic benefits through labour and supply chain demand required during construction, and longer-term economic benefits through the additional household spend within the village and surrounding area that would be generated by the proposed development.

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2.4 The proposal also includes a broad mix of two, three and four bedroom dwellings and which comprise a variety of size and layout. In addition, through a legal agreement the proposal would also secure a scheme of affordable housing, in addition to the remaining dwellings for market sale. Therefore, by providing homes suitable for a mix of household size, types and incomes, the proposed development would assist in providing for a sustainable rural community. Furthermore, it is also noted that the proposed scheme includes the provision of an area of public open space indicatively laid out as a formal garden which would provide for a centrally located and usable site for the local community.

2.5 With respect to environmental aspect of sustainable development, further discussion of the environmental implications of the proposals are set out below. Although outside the defined settlement limit, the proposed development would adjoin the built up area of Great Ellingham and settlement boundary which wraps around the site to the north, south, east, and partially to the western boundary of the site. Furthermore, it is noted that the proposed dwellings would be surrounded by other residential properties and be close to the village centre to the north. The proposal would not, therefore, result in an isolated development in the countryside. The effects of the proposal on the character and appearance of the area are considered below.

2.6 Great Ellingham is identified in Core Strategy Policy SS1 as a Service Centre village. Such settlements are considered by definition to contain adequate services and facilities to meet the day-to-day requirements of existing residents. However, not all Service Centres are identified as being suitable for significant housing growth, and Policies SS1 and CP1 do not make provision for the strategic allocation of land in Great Ellingham. However, as this element of local policy is essentially concerned with the supply of housing land, it can be given little weight (for the reasons set out above). The adopted strategy for all Service Centre villages is primarily concerned with service protection/enhancement and development to meet local needs.

2.7 Great Ellingham is one of the smaller Service Centre villages in the District, but nevertheless benefits from a number of local facilities, including a small general store/post office, primary school, public house, village hall, playing fields, church and chapel. These facilities would be within reach of the development and would be very likely to derive some additional support from future residents of the proposed development. Guidance set out in the NPPG indicates that rural housing is essential to ensure viable use of such local facilities. Several businesses are located within and close to the village providing some opportunities for local employment. Taking these matters into account, it is concluded that the proposal would be broadly consistent with the NPPF principle that housing should be located where it will help to maintain or enhance the vitality of existing communities. It would also accord with the Spatial Strategy's drive to support existing facilities in Service Centres.

2.8 However, notwithstanding this conclusion, it is clear that the level of service provision in the village and the limited availability of local jobs, are such that future residents would be largely dependant on higher order settlements for most shopping, employment and leisure purposes. Although existing bus services link the village to Norwich via Attleborough, and there are bus stops close to the site, these services are limited in scope and frequency. It is reasonable to assume therefore that most trips by future residents would be made by car.

2.9 Consequently, the proposal would conflict to a degree with certain objectives in the NPPF to minimise the need to travel and to maximise opportunities for sustainable transport. However, given that some day-to-day requirements could be met locally and bearing in mind the close proximity of the village to Attleborough, which is identified for significant growth and where a wide

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range of services are available, it is not considered that the resulting harm to sustainability would be significant. Furthermore, it is noted that the NPPF also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

3.0 Loss of Open Space

3.1 It is noted that the site is designated as open space within the Core Strategy. Policy DC11 seeks to retain existing designated open space unless where a number of criteria have been met.

3.2 With regard to criteria 'a' of Policy DC11, the latest open space assessment (published in 2015) identifies that there is a marginal surplus of outdoor sports facilities, and shortfall of children's play provision within Great Ellingham. It is also noted that the site was not included in the formal quantitative assessment of open space provision.

3.3 Indeed, the site is part of a privately owned local agricultural enterprise and it is noted from evidence submitted by the applicants has been used for agricultural purposes for significant periods throughout the last 100 years. The site, albeit designated as open space, is not accessible to the public, and does not provide a usable space for the local community for either formal or informal recreation, sport or play.

3.4 The value of the site as open space is, therefore, limited to its openness and the contribution this makes to the wider townscape and character of Great Ellingham. The proposed development would result in harm to the openness and amenity value of the site.

3.5 However, given the context of the village within the wider open countryside; the proximity of the site and dwellings within the village to the open countryside; the retention of the majority of the hedgerow boundaries, and that these would be supplemented by new hedgerows within the site to delineate the individual plots; and that the majority of the site area would remain as private landscaped gardens or public open space; it is considered that there would be no overriding harm caused to the wider character and appearance of the village and its townscape and landscaped setting.

3.6 Furthermore, albeit significantly reduced, a proportion of the site would be retained as open space and would be provided as a formal area of public open space. The resultant value to the village and local community of Great Ellingham, by providing a publicly accessible area of open space within the northern corner of the site which would provide for an accessible and usable open space to be enjoyed by the local community, would provide for a significant benefit to the local community and increase the quantitative amount of public open space within the village.

3.7 In order to secure the provision and ongoing maintenance of this area of public open space, the applicant has agreed to enter into a Section 106 Agreement to require the provision of the land and the subsequent transfer of the land to the Parish Council to allow for its future use and maintenance. Subject to entering into such a legal agreement, the proposed development is considered to accord with Policy DC11 of the Core Strategy.

4.0 Design, Impact on Character and Appearance of the Surrounding Area

4.1 The application site comprises an open space surrounded by the built form of the village of

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Great Ellingham.

4.2 Both local and national planning policies require careful consideration to be given to the impact of new development on the character of its surroundings. Core Strategy Policy CP11 says, amongst other things, that the countryside will be protected for its intrinsic beauty and rural character, and that the design of new development should be sympathetic to landscape character, informed by the Council's Landscape Character Assessment (LCA). Core Policy DC02 deals with housing mix and density, whilst Policy DC16 promotes good design. The NPPF indicates that planning should contribute to the protection and enhancement of valued rural landscapes and that the design of new development should respond to local character and use streetscapes and buildings to create attractive places to live.

4.3 Great Ellingham is located within the Wayland Plateau landscape character area (Type E4) as defined in the Council's Landscape Character Assessment. The overriding character of this area of countryside is that of a productive and managed arable landscape, with fields of varying sizes interspersed with small blocks of woodland, big skies and open views.

4.4 The proposed scheme has been designed to include relatively modest sized dwellings, addressing the streetscene along Long Street to the east which forms the principal route north to south through the village, with the approach to Town Green being to provide a less formal streetscene bordered by hedgerows and gardens reflecting its character as a secondary route. The notable existing landscape features within the site have been retained within the proposed layout of the site. The retention of the area of open space in the northern corner of the site would retain a sense of openness at the junction of Long Street, Glebe Meadow and Town Green.

4.5 With regards to scale, the dwellings at single storey and up to two storeys in height, would sit comfortably within the surrounding built form which comprises a mix of single and two storey dwellings. The proposals comprise five different house types offering a variety of scales, designs and layouts which include conventional; approaches to the layout of elevations; the proportions and sizes of openings and treatment of elevations with the predominant use of brick with sections of timber cladding.

4.6 Having regard to the above, the proposal would not harm the character and appearance of the area and is of a design appropriate for its context and, therefore, accords with the requirements of Core Strategy Policy DC16 as well as paragraphs 59 and 63 of the NPPF.

5.0 Neighbour Amenity

5.1 The proposed development would retain adequate separation distances to the surrounding residential properties that face on to or back on to the site for there to be no significant harm by way of loss of light, loss of outlook and by way of resulting in an over-bearing impact. The dwellings to the southern boundary of the site would comprise bungalows and chalet bungalows to avoid any oppressive impacts on and overlooking of adjacent residential properties to the south. The siting of first floor windows has been limited to ensure they do not overlook private rear gardens to the south. Where they are sited they would either face on to shared courtyard or access areas or on to public highways bordering the site. Therefore, it is not considered that there would be any significant harm caused to the amenity of neighbouring residents.

5.2 Whilst private views of the open site would be lost, it is noted that this is not a material

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planning consideration.

6.0 Highway Safety/Traffic Implications

6.1 Policy CP4 of the Core Strategy seeks to ensure that all access and safety concerns are resolved in new developments. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

6.2 The proposed development would comprise three new vehicular accesses onto Long Street and would provide 12 new dwellings. Whilst it is noted that the proposed development would generate additional vehicular traffic on the local highway network and additional vehicular movements along this part of Long Street, it is not considered that this would be sufficient to cause any significant detriment to the safety and operation of the surrounding highway network.

6.3 Following consultation responses from the Highways Authority additional information regarding visibility splays and forward visibility along Long Street has been provided; pedestrian accesses directly on to Long Street have been removed from the scheme. The Highways Authority has subsequently raised no objections to the proposed development subject to conditions. It is noted that the site is located well within the 30mph speed restriction operating along Long Street, provides adequate visibility north and south along Long Street from the new vehicular access points and there are adequate existing walking and cycling routes connecting the site to the services and facilities within the village.

6.4 Having regard to the above, it is considered that the proposals would not result in significant adverse impact on the safety and function of the surrounding highway network, and would accord with Policy CP4 of the Core Strategy and the policies within the NPPF.

7.0 Impact on Ecology/Nature Conservation Interests

7.1 Both Core Strategy Policy CP10 and the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible. Furthermore, in order to accord with Section 40 of the 2006 Natural Environment & Rural Communities (NERC) Act, paragraph 118 of the 2012 National Planning Policy Framework (NPPF) and Policies CP06, CP08, CP10 and CP11 of the 2012 Breckland Adopted Core Strategy & Development Control Policies Development Plan, all of which promote the conservation and enhancement of biodiversity through sustainable development, the applicant must do more to ensure that the scheme constitutes sustainable development and that the existing natural features are conserved in a way that guarantees their long-term viability.

7.2 The site comprises an open agricultural field last used for the grazing of sheep, with limited tree coverage other than mature hedgerows running along the site boundaries.

7.3 A Phase 1 Habitat Survey and Protected Species Survey has been submitted in support of the application. This identifies that the site is of low ecological value but that the tree lined boundaries provide value to small mammals, birds and bats, and that the tall ruderal vegetation within the site is of value for reptiles and amphibians. The Ecological Consultant has reviewed the application and concludes that the proposed mitigation measures within this report would

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provide satisfactory mitigation measures, together with the requirement to prepare and implement out a great crested newt and amphibian method statement given the significant number of great crested newts that are present in the surrounding area.

7.4 Conditions have therefore been recommended to require the submission and approval of a Construction Ecological Management Plan (CEMP) incorporating those measures within the submitted ecological report, and the submission and approval of a great crested newt and reptile method statement to be adopted during the site clearance and construction works.

7.5 The proposed dwellings have been sited to retain the mature trees on site, and whilst sections of the hedgerows along Long Street would require removal to provide the three vehicular access points into the site, the vast majority of the hedgerows would be retained and the proposals include the planting of substantial lengths of new hedgerows within the site to separate the individual dwellings. It is considered that once mature these replacement hedgerows would provide adequate mitigation for the loss of the existing sections of hedgerow.

7.6 Having regard to the above, the proposed development would not result in any loss of any valuable or priority habitats and, subject to the above conditions, there would be no significant harm caused to protected species on site and the ecological value of the site, in accordance with Policy CP10 of the Core Strategy and the requirements set out in the NPPF.

8.0 Affordable Housing, Viability & Deliverability

8.1 Core Strategy Policy DC04 requires that to meet District housing needs the Council will require 40% of the total number of housing units to be provided and maintained as affordable housing within all new residential development on sites which the Local Planning Authority determines has a capacity for five or more dwellings; or comprises an area of 0.17 ha or more.

8.2 The proposed scheme did not originally include the provision of any formal affordable housing but, following pre-application consultation with Great Ellingham Parish Council, sought to provide three small market houses. The applicants have submitted a Viability Appraisal which concludes that taking into account the site constraints, land values, building costs and a developer's profit of 20%, the delivery of 40% or even 25% affordable housing would render the scheme unviable.

8.3 The Viability Appraisal has been independently reviewed by the District Valuer who consider that the scheme would be viable returning sufficient developer profit whilst providing for a scheme of either 25% or 40% affordable housing. It is noted that paragraph 205 of the NPPF requires that local planning authorities should take account of changes in market conditions over time and wherever appropriate, be sufficiently flexible in seeking planning obligations to prevent planned development being stalled. This is reflected in Policy DC04 which allows for a reduction in the provision where a development cannot reasonably be expected to bear the costs of this along with wider costs and constraints of the site.

8.4 The applicants and the District Valuer remain in disagreement regarding the viability of the scheme and level of profit that such a scheme providing for affordable housing would return. However, they have agreed to enter into a Section 106 Agreement to secure the provision of 25% affordable housing on the site, representing the provision of 3 affordable dwellings on site.

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8.5 Footnote 11 to paragraph 47 of the NPPF states that to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within the short term and in particular that development of the site is viable. Whilst the application is considered to accord with this aspect of the NPPF, Members will need to take a view as to whether or not a reduction in the level of affordable housing on site is acceptable, having regard to the acknowledged lack of housing land supply.

8.6 In this instance it is noted that three (25%) of the dwellings to be provided would be retained as affordable dwellings, and given the need to provide a high quality development in this prominent location and the conclusions of the District Valuer that a scheme of 25% affordable housing would be viable, it is recommended that any permission be subject to a legal agreement securing the provision of an affordable housing delivering 25% affordable housing on the site.

9.0 Other Matters

9.1 With regards to the implications on heritage assets, it is noted that Local Planning Authorities have a statutory duty under Section 66 of the Listed Building and Conservation Areas Act 1990 to have special regard to the desirability of preserving listed buildings and their setting. In this instance the site is not located within or adjacent to a conservation area, and whilst there are listed buildings within the surrounding area, the only listed building seen within the same context is that at Grey Roofs, Long Street to the east of the site. However, as a result of the intervening boundary treatments, character of the surrounding area and its existing setting, the proposed development would not cause any significant impact on the setting of this nationally important heritage asset.

9.2 With regards to the loss of agricultural land on the site, it is identified as being within grade 3 (moderate to good quality). However, it is noted that the agricultural land comprises a stand alone field separated by the surrounding fields and agricultural holding by the settlement and built form of Great Ellingham, and is in an area suffering from poor drainage. In addition, due to its triangular shape; its limited size; its location immediately adjacent highways and residential properties; the quality of land itself; and the supply of agricultural land in the wider surrounding area; limited weight has been given to the loss of this piece of agricultural land.

9.3 With regards to drainage and flood risk implications of the proposed development, the site is located within Flood Zone 1 and is, therefore, in an area at least risk of flooding from rivers, tidal flows, groundwater and surface water. The site is not located within an area identified as a critical drainage area but is in an area identified as having poor drainage.

9.4 With regards to the management of foul water it is proposed to connect to the existing system which it is noted from comments by Anglian Water has the capacity to take the additional volume from the proposed development and, as such, they have raised no objections to the proposed development.

9.5 With regards to surface water drainage, the applicants have submitted an outline surface water drainage strategy which proposes the use of infiltration techniques to allow the drainage of surface water into the ground and the diversion of an existing surface water drain that runs diagonally through the site. Should the ground conditions not be suitable to allow for infiltration of runoff, it is proposed that surface water would discharge into the existing surface water drain with

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flows restricted to by flow control devices such as a hydro-brake and on site sub-base attenuation in order to ensure that surface water discharge rates are restricted to no greater than the greenfield run-off rate of 3.7 l/s. This approach would accord with the guidance within the NPPG which seeks to restrict surface water discharge rates to greenfield rates and to drain surface water in the first instance into the ground; if not reasonably practicable to a surface water body or watercourse; if not then a surface water sewer or drain.

9.6 It is noted that the Environment Agency has raised no objections to the proposed development subject to a condition securing the submission and approval of a surface water drainage strategy. Therefore, whilst comments are awaited from the Lead Local Flood Authority (LLFA), the submitted strategy would meet the policy requirements within the NPPG and, subject to a condition securing the submission and approval of a detailed surface water drainage strategy, there would be sufficient measures in place to ensure that the development would not be a risk from flooding or increase the risk of flooding elsewhere.

9.7 In terms of ground conditions, given the previous use and historic use of the site for agriculture, and that there is no recent history of buildings, chemical or waste storage on the site, the site is not considered to be at significant risk of ground borne contamination and that, in principle, this would not prevent the site from being used for residential purposes. Nevertheless, in accordance with the recommendations of the Council's Environmental Health Officers a condition has been recommended requiring the carrying out of appropriate site investigation and, if necessary, remediation measures.

10.0 Conclusions

10.1 Given the current position with respect in that the Council cannot demonstrate a five year supply of housing land, little weight can be attributed to policies which seek to restrict residential development outside of settlement boundaries and applications should be considered in the context of the presumption in favour of sustainable development, as set out in the NPPF.

10.2 In this regard, paragraph 14 of the NPPF states that where the development plan or relevant policies are out of date, this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

10.3 In this instance, the harm caused to the visual amenity of the area from the loss of the majority of this area of open space, would not outweigh the benefits derived from the scheme; these benefits being the important contribution the scheme would make towards housing supply; the economic benefits from the construction and future household spend within the local area from 12 new dwellings; the provision of a mix of size, type and tenure of dwellings; and the provision of an accessible and usable area of public open space that would be maintained and for use by the local community of Great Ellingham.

10.4 In summary, the proposed development would be acceptable because the site is considered to be within a sustainable location; the adverse effects of the proposal would not significantly and demonstrably outweigh its benefits; and that overall, subject to conditions and the applicant entering into a Section 106 Agreement, the development would constitute sustainable development.

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10.5 In accordance with paragraph 14 of the NPPF the application is recommended for approval.

10.6 Delegated authority is requested for the application to be refused by the Council's Planning Manager if the legal formalities in respect of the Section 106 are not completed within three months of the date of this decision of that the Planning Manager has the authority to agree another more appropriate time scale for the completion of any such agreement.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (3 years)
- 3047** In accordance with submitted
- 3949** Contaminated Land - Site Investigation/Remediation
- 3140** Prior approval of slab level
- 3920** Details of all Materials
- 3920** Hard and Soft Landscaping and Planting Scheme
- 3920** Surface water and foul water drainage scheme
- 3920** Scheme for management of surface water drainage system
- 3920** Arboricultural Method Statement and Protection Measures
- 3920** EHO - Construction hours and noise levels
- 3920** Lighting scheme
- 3920** Construction Environmental Management Plan (CEMP)
- 3920** Great Crested Newt Method Statement
- 3920** No clearance within bird nesting season
- 3920** Provision of accesses prior to occupation
- 3920** Visibility splays prior to occupation
- 3920** Access, parking and turning areas laid out
- 3920** CMS - construction parking and wheel cleaning
- 3920** Off-site highways works
- 3920** Details of any gates for plot 1
- 3923** Contaminated Land - Informative (Extensions)
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- AN60** NOTE NCC Inf 1 When off-site road improvements are required
- 3992** Non-standard note re: S106
- 3992** Non-standard note re: Highways Inf 8
- 3989** Hedgerow Regulation
- 3972** NOTE: Bats and Owls
- 3994** Non-standard note: Anglian Water comments

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ITEM	4	RECOMMENDATION : REFUSAL
REF NO:	3PL/2015/0485/F	CASE OFFICER: Gary Hancox
LOCATION:	ATTLEBOROUGH Land adjacent to Oak Tree Park Norwich Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr Matthew Gibbard c/o Agent	
AGENT:	WYG 5a Doolittle Mill Ampthill	
PROPOSAL:	Change of use to residential for the siting of up to 23 mobile homes	

KEY ISSUES

Principle of development of the site
Impact on character and appearance
Access
Neighbour amenity
Drainage

DESCRIPTION OF DEVELOPMENT

This application proposes the change of use of the land for the siting of 23 mobile homes. The applicant has indicated that the use of the mobile homes would be for the over 50's retired and semi-retired buyer. Access to the site would be taken from the existing private access road presently serving Oaktree Park. Although no details of the design and appearance of the individual mobile homes have been submitted for determination (it is only the use of the land that requires formal approval) an indicative layout showing how the site could accommodate 23 units has been submitted with the application. The mobile homes would have the appearance of small detached dwellings.

SITE AND LOCATION

The site is located to the eastern edge of the town and comprises a grass field surrounded to the NE and SW by residential development and to the SE by Oak Tree Park, a 2.7 hectare mobile home site. The B1107 Norwich Road bounds the site to the north. The site lies outside the designated settlement boundary for Attleborough. The site is approximately 0.8 hectares in size.

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EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2013/1039/O - Residential development 25 dwellings - Resolution to approve - decision not issued as awaiting completion of S106 legal agreement.

POLICY CONSIDERATIONS

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

CP.01	Housing
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.16	Design
NP	Neighbourhood Plan
NPPF	With particular regard to paragraphs 7, 8, 49, 58, 59 and 64.
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

23 dwellings would generate the requirement for on-site open space and contributions towards education and library provision.

In terms of enhanced education provision Norfolk County Council will seek contributions towards infant, junior and high schools totalling £140, 048. Contributions towards enhanced library provision will also be sought totalling £1380 (£60/dwelling).

Policy DC11 of the Breckland Core Strategy states that a development of this scale (50 units or above), requires on-site play space. Whilst it is recognised that this proposal is intended to provide accommodation for persons over 50 years of age and this specific requirement may be unnecessary, a financial contribution is required to assist in the recognised shortfall of recreation provision within the District. No such contribution has been put forward and therefore it is considered that the scheme does not accord with Policy DC11 of the Breckland Core Strategy.

The affordable housing and open space (on site provision or contribution in lieu) would need to be secured by way of a signed and completed Section 106 Obligation should planning permission be granted. No such undertaking to enter into such an agreement has been agreed.

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As currently submitted the application is therefore contrary to Core Strategy Policies DC04 and DC11.

CONSULTATIONS

ATTLEBOROUGH TC -

Object

Not in keeping with the street scene and concern over density and increased traffic entering the road.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to appropriate conditions regarding visibility splays.

TREE AND COUNTRYSIDE CONSULTANT

Please attach condition to ensure that all tree protection is erected as shown on appendix 4 of Green Willows Arboricultural Report dated August 2015 drawing ref Oak tree Pk/001.TPP/v10 prior to commencement of works and that it remains in situ until completion.

CONTAMINATED LAND OFFICER

No objection.

EAST HARLING I D B

It is proposed that surface water runoff is discharged to soakaway and main sewer, however no information is provided in support of this strategy. The site is located immediately to the south of the Drainage Board District, and surface water runoff will discharge to the Board maintained watercourse.

In the absence of any information on surface water drainage the Board OBJECT to the application.

HISTORIC ENVIRONMENT OFFICER

An archaeological evaluation has been carried out at the proposed development site. The results of the trial trenching indicate the presence of heritage assets with archaeological interest (buried archaeological remains) at the site. These appear to relate to medieval settlement activity and the excavated features show good potential to contain important palaeoenvironmental remains. There is a very high potential that further heritage assets with archaeological interest are present at the site and that their significance may be affected by the proposed development (dependant on the level of ground disturbance).

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework para. 141.

ENVIRONMENT AGENCY

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No objection.

NATURAL ENGLAND

No objection.

HOUSING ENABLING OFFICER - No Comments Received

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

ENVIRONMENTAL PLANNING - No Comments Received

REPRESENTATIONS

Letters of representation have been received raising the following issues:

Objections: Lack of control over design; deterioration of condition of mobile homes; lack of provision of affordable housing; highway concerns; parking and layout issues; flood risk; loss of privacy; impact on residential amenity; out of keeping with area; loss of trees and hedgerows; drainage issues

Support: units would be welcome addition to community of retired people

ASSESSMENT NOTES

1.0 The application is referred to Planning Committee as it raises issues of significant local concern.

2.0 Principle of development of the site

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Policy Guidance.

2.2 Although the application proposes the delivery of mobile homes, they will be occupied as dwellings, and therefore should be considered against relevant development plan policies. It is recognised that the site lies outside the Adopted Settlement Boundary for Attleborough. For this reason the proposal conflicts in principle with Policies SS1, DC02, CP01 and CP14 of the Core Strategy and the Development Control Policies Development Plan Document (2009). The scheme has not been put forward as one under the exceptions site policy (DC04). However paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.72 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be granted permission unless any adverse impacts would significantly outweigh the benefits.

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2.3 The Government defines sustainable development as having three roles:-

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- environmental, through the protection and enhancement of the natural, built and historic environment.

2.4 Paragraph 8 of the NPPF stresses that these roles should not be undertaken in isolation, because they are mutually dependent, therefore a balanced assessment against these 3 roles is required.

2.5 In terms of economic and social sustainability, the Core Strategy has identified Attleborough as having potential for substantial growth, harnessing economic expansion along the A11 corridor between Cambridge, Thetford and Norwich and providing the necessary balance of housing to support the enhancement of the Snetterton Heath employment site. It has had the most active commercial market outside Thetford and Dereham in recent years and it also has access to main line rail connections. It has a range of services commensurate with its position as a lower order centre and is able to serve the day to day needs of local residents. The town is allocated to provide in the region of 4,500 new homes over the plan period.

2.6 In terms of location there can be little argument that the site is sustainable; however this is subject to the environmental impacts of the proposal being acceptable when balanced against the benefits. The proposal would make a small contribution to the 5-year housing land supply. Although the NPPF's presumption in favour of sustainable development is engaged, para. 14 of the NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole; or, specific policies in the Framework indicate that development should be refused. A site needs to be acceptable in terms of highway access, impact on highway infrastructure, flood risk, landscape character and ecological impact. These issues are considered below.

2.7 Footnote 11 of the NPPF confirms that the site should be in a suitable location, available now, and have a realistic prospect of being developed within five years.

2.8 With regard to availability and deliverability, the delivery of mobile homes is likely to occur within 5 years and therefore contribute towards the housing shortfall. However, if Members are minded to approve the application, it would be appropriate that the time limits for the commencement of development are reduced and this would be in accordance with other applications in Breckland approved under the five year land supply.

2.9 The applicants make reference to the recent permission obtained for 25 dwellings on the same site. However, at the time of writing this report, only a resolution to approve exists, as no S106 legal agreement has been completed and no decision notice has been issued. Although a material consideration for this application, the weight attached to it is reduced.

3.0 Impact on the character and appearance of the area

3.1 Both Core Strategy Policy DC16 and Section 7 of the NPPF require high quality design, and

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great importance is attached to the design of the built environment, which is seen as a key aspect of sustainable development.

3.2 Policy CP11 of the Core Strategy seeks to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character. Development within the District is also expected to be of the highest design quality in terms of both architecture and landscape. It should have regard to good practice in urban design and fully consider the context within which it sits. It should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.

3.3 Clearly, the proposal would represent a significant change in the nature and appearance of the land and an assessment has to be made as to whether the impact on the land would be significantly harmful to the local area.

3.4 The general character of this area of the town is one of a mix of traditional (in terms of scale and appearance) dwellings set in relatively spacious plots set back from the road, along with more dense residential estate type development. Both of these types of development are evidenced to the east and west of the site. Although existing mobile homes are sited to the south of the site, these are currently separated from the road by a large green area, and partly screened by trees and landscaping.

3.5 In comparison, the proposed design and layout of the mobile homes will be tailored to ensure a functional and regimented layout. No formal open space is provided and all the dwellings are single storey. Furthermore, the scale and appearance of the individual properties will be specified by the purchaser and can not therefore be determined at this stage. The indicative layout effectively forms a cul-de-sac, showing the siting of dwellings that would appear out-of-keeping and out-of context. Significant views of the mobile homes will be afforded as you travel along the Norwich Road, and due to the design, siting, form and mass of the mobile homes, they would appear incongruous within the street scene. The scheme would have a significant harmful impact on the character and appearance of the area.

3.6 The application is therefore contrary to Core Strategy Policy DC16 and paragraph 64 of the NPPF.

3.7 It is acknowledged that a resolution to approve has been given to a residential development of 25 dwellings (two storey), however the overall appearance of this development was seen to be acceptable having regard to its context, in stark contrast to that proposed in this current application.

4.0 Access

4.1 Access to the site would be via the existing un-adopted access off Norwich Road, to which the Highways Authority raises no objection subject to the provision of satisfactory visibility splays to the NE of the access. Subject to this the application is acceptable in respect of highway impact.

5.0 Amenity

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5.1 The applicants have submitted an indicative landscape plan that includes the potential siting of the mobile homes. Generally, the location of the dwellings would have limited impact in terms of loss of privacy, over-shadowing or overbearing. However, some dwellings are shown within very close proximity to the rear of existing properties on Kenan Drive, with a minimum separation distance of approximately 8 metres. Given the proposed density (29 dwellings per hectare) it is likely that some dwellings would have to be located within close proximity to these neighbouring properties, which would have a degree of harmful impact on the amenity of existing properties that counts against the proposal.

6.0 Drainage

6.1 No drainage details have been submitted with the application other than an indication that drainage would be via soakways and main sewers. Surface water run-off will discharge to the East Harling IDB maintained watercourse and without further information in support of the proposed drainage arrangement the IDB object to the application. As it can not be established that the proposal would not give rise to increased flood risk either on site or elsewhere the application is considered to be contrary to Core Strategy Policy DC13.

7.0 Other matters

7.1 In respect of archaeology, trial trenching has been undertaken on site and this has revealed the presence of heritage assets with archaeological interest. However, the Historic Environment Officer is content that a programme of archaeological work can be secured by an appropriately worded condition.

7.2 Following the submission of an updated tree survey, the Tree and Countryside Consultant raises no objection to the scheme subject to the securing of the tree protection set out in the Arboricultural Report.

7.3 A Neighbourhood Plan is currently being prepared for Attleborough and therefore is a material consideration. However it remains only at a very early stage in its process of evolution. The Plan has not advanced to formal public consultation and therefore carries with it extremely limited statutory weight.

7.4 In respect of affordable housing, the applicants have offered an off-site contribution in lieu of on-site provision, although no amount has been stated. They contend that the provision of mobile homes would represent a cheaper affordable alternative for the over 50's and/or retired buyers. However, no financial justification has been submitted for an off-site contribution, the application does not accord with Core Strategy Policies CP5 and DC4.

8.0 Conclusion

8.1 The proposed scheme would contribute towards the five-year supply of housing, generate some economic activity and is in a sustainable location. However, due to the design, siting, form and mass of the mobile homes, they would appear incongruous within the street scene and have a significantly harmful impact on the character and appearance of the area.

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8.2 As it cannot be established that the proposal would not give rise to increased flood risk the application is considered to be contrary to Core Strategy Policy DC13.

8.3 Responses from relevant statutory consultees indicate that the impacts of the development in terms of education and library provision are either acceptable or can be made acceptable by conditional requirements and/or S106 contributions. The applicant has expressed a willingness to enter into negotiations to provide the relevant contributions, including an off-site contribution towards affordable housing. However, until such an agreement is entered into the application remains contrary to Core Strategy Policy CP5.

8.4 For the reasons set out in this report, I have concluded that the benefits of the housing provision proposed, taking into account the development plan and the policies of the NPPF as a whole, are clearly outweighed by the significant harmful impacts of the development. The application does not represent sustainable development and the principle of development is therefore not accepted.

RECOMMENDATION:- Refuse

1. The proposed scheme would contribute towards the five-year supply of housing, generate some economic activity and is in a sustainable location. However, due to the design, siting, form and mass of the mobile homes, they would appear incongruous within the street scene and have a significantly harmful impact on the character and appearance of the area.
2. No drainage details have been submitted with the application other than an indication that drainage would be via soakways and main sewers. Surface water run-off will discharge to the East Harling IDB maintained watercourse and without further information in support of the proposed drainage arrangement the IDB object to the application. As it can not be established that the proposal would not give rise to increased flood risk the application is considered to be contrary to Core Strategy Policy DC13.
3. Without a Section 106 legal agreement or unilateral undertaking from the applicant no provision has been made for a financial contribution to be made towards education and library facilities within Attleborough where there is a recognised shortage of school spaces, contrary to Core Strategy Policy CP5.
4. Without a Section 106 legal agreement or unilateral undertaking from the applicant no provision has been made ensuring the delivery of 40% affordable housing and the securing of an appropriate tenure mix and affordability in perpetuity.

RECOMMENDATION

Refusal of Planning Permission

REASON(S) FOR REFUSAL

- 9900** Impact on character and appearance
- 9900** Insufficient information regarding drainage
- 9900** No Section 106 or unilateral undertaking

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ITEM	5	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0546/O	CASE OFFICER: Chris Hobson
LOCATION:	ATTLEBOROUGH Former Grampian Food Site Buckenham Road	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Raemoir Properties Ltd C/o Mr H Ross 18 Queens Road	
AGENT:	Bidwells 16 Upper King Street Norwich	
PROPOSAL:	Demolish bldgs & Erect up to 165 homes, together with public open space & associated infrastructure (Outline)	

KEY ISSUES

The main issues that need to be considered are:

- Development plan and material considerations
- Principle of development and deliverability
- Access & highway safety implications
- Impact on the landscape character and appearance of the area
- Landscaping and ecology
- Amenity
- Drainage and flood risk
- Archaeological and heritage implications
- Impact on availability of high quality agricultural land
- Impact on mineral interest
- Land contamination and site conditions
- Affordable housing, viability and deliverability
- Infrastructure and planning obligations

DESCRIPTION OF DEVELOPMENT

This application seeks outline planning permission for the demolition of the existing buildings, and the erection of up to 165 dwellings, provision of public open space and associated infrastructure. The application is submitted in outline with all matters other than access reserved for consideration at a later date. Permission is therefore sought only for the general apportionment of dwellings and the means of access from Buckenham Road and Whitehouse Lane. All other matters comprising scale, layout, external appearance and landscaping will be the subject of future detailed reserved matters applications.

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This outline planning application as submitted seeks to establish the general principles of development on the site. It provides maximum flexibility for detailed schemes to come forward subsequently under reserved matters applications. A framework masterplan drawing submitted with the application indicates the following:

- Residential Development of the site, comprising a total of up to 165 dwellings of which 4% (7 dwellings) would be affordable.
- A developable area of 4.6 ha with a development density of 36 dwellings per hectare (net) and 30 dwellings per hectare across the whole site.
- Residential development split into eight individual parcels.
- 0.9 hectares of Public Open Space divided into 3 main areas in the north, centre and south of the site.
- A mix of one, two, three and four bedroom dwellings, including apartments and houses.
- Vehicular access off Buckenham Road to serve 150 dwellings
- Vehicular access off Whitehouse Lane to access 6 dwellings on a private drive.
- Vehicular access of Buckenham Road to serve 9 dwellings by a private drive.
- Provision of a Local Equipped Areas of Play (LEAP) within the public open space.

The application has been submitted with the following accompanying information:

- Planning statement
- Flood Risk Assessment and Drainage Strategy
- Design & Access Statement
- Indicative site layout Masterplan
- Ecology Assessment and Bat Survey
- Arboricultural Constraints Report
- Transport Assessment
- Framework Residential Travel Plan
- Utilities Statement
- Geo-Environmental Report
- Landscape and Visual Assessment

SITE AND LOCATION

The application site is approximately 5.5 hectares in size comprising the former Grampian Food Site and rough grazing land located on the south-eastern edge of Attleborough. The site is located to the southern side of the Cambridge to Norwich railway line and is bounded by Buckenham Road to the west, Whitehouse Lane to the north, a collection of vehicle sales garages and showrooms to the south and east borders open agricultural fields to the south and east.

The market town of Attleborough is identified in the adopted Core Strategy as a major focus for employment and residential growth. The site sits partially outside the settlement boundary of Attleborough with the boundary running north to south through the site around the previously developed parts of the site. Attleborough Town Centre is approximately 1 mile to the north of the site beyond Attleborough Train Station and a mixed use industrial area. A linear residential area runs along the western side of Buckenham Road with Gaymers Meadow sports fields located further west.

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The site forms two distinct parcels of land; the first being the Former Grampian Food Site which closed in 2008 and is roughly square in shape and takes up approximately half of the application site. This area comprises vacant former food processing buildings and associated offices, parking and areas of hard standing. The site has a vehicular access off Whitehouse Lane to the north and a the main access off Buckenham to the west. The second parcel of land comprises an 'L' shaped open field leftover for grazing which is bordered by mature hedgerows and trees along the north, south and west boundaries with sporadic tree cover along the eastern boundary.

EIA REQUIRED

No

RELEVANT SITE HISTORY

The application site has been the subject of the following recent planning applications:

3PL/2007/1018/F -Erection of 23.5 metre high chimney stack - Permitted.

3SR/2015/0005/SR - Screening request for a residential development of up to 165 dwellings on 5.5ha, access roads and associated POS and development - Not EIA development.

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

SS1	Spatial Strategy
CP.01	Housing
CP.04	Infrastructure
CP.05	Developer Obligations
CP.06	Green Infrastructure
CP.08	Natural Resources
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape

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DC.13	Flood Risk
DC.14	Energy Efficiency
DC.17	Historic Environment
NPPF	With particular regard to paras. 7, 8, 11 - 14, 28, 29, 30, 32, 34, 35, 37, 47, 49, 50, 54, 55, 56, 58 - 61, 63 - 65, 69, 70, 73, 74, 93-96, 100 - 103, 109, 111, 112, 118, 120 - 123, 125, 126, 128-132, 134, 135, 144, 186, 187, 196, 197, 203 - 206.
NPPG	National Planning Practice Guidance
NP	Neighbourhood Plan

Norfolk Minerals and Waste Core Strategy
Policy CS16 - Mineral Safeguarding

CIL / OBLIGATIONS

Any permission granted would be subject to a S106 legal agreement. This would require the following obligations:

Education contribution of £1,055,505 to be put towards the following projects:

- Attleborough Infant School: £234,300 - Project A to provide for internal improvement to increase the capacity of the school.

- Attleborough Junior School: £267,135 Project A to provide internal improvements to increase the capacity of the school.

Attleborough High School: £554,070 Project A to provide for a new classroom at the school.

Library contribution - A development of 165 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. Therefore a contribution of £60 per dwelling (up to £9,900 for 165 dwellings) would be sought for use towards ICT equipment at Attleborough library.

Healthcare contribution of £54,600 to mitigate for the increased demand for healthcare services in the local area generated by the proposed development, to be put towards the following projects:

- Increased capacity at Queens Square Surgery, Queens Square Attleborough.

- Increased capacity at Station Road Surgery, Station Road, Attleborough.

Provision of 4% affordable dwellings, with clawback provision following future submission of a viability appraisal.

A financial contribution of £15,000 towards the provision of a bus shelter on Norwich Road, Attleborough.

A financial contribution of £3,000 towards the provision of 10 cycle stands within Attleborough.

A financial contribution of up to £127,040 towards the provision of outdoor sport facilities and equipment at Gaymers Meadow sports fields.

A Scheme for the design, implementation and management of the Landscape Open Space and Green Infrastructure on the site. Including the provision of a Locally Equipped Area of Play (LEAP), and management and maintenance of the Sustainable Urban Drainage Systems to be provided on site.

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A contribution towards the provision of 3 fire hydrants on site of £2,436.

CONSULTATIONS

ATTLEBOROUGH TC -

No objections but concern raised as to the appropriateness of White House Lane, visibility for traffic entering the Lane and would require improvements; request for clarification of whether both accesses are vehicular. The Council would seek that the development complies with the objectives of Attleborough's emerging Neighbourhood Plan as listed below:

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

Surface water runoff from the development will be discharged to the Board maintained watercourse. The Boards consent to discharge is likely to be required. The Board will need to be fully consulted on drainage proposals prior to providing consent.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

With regards to the above planning application, as this is an outline application there is insufficient detail for me to make a comment.

ENVIRONMENT AGENCY

We have reviewed the information as submitted and wish to make the following comments. We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below.

CONDITION: Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

General advice notes

HISTORIC ENVIRONMENT SERVICE

The proposed development sits within a number of known heritage assets, and comprises a relatively large, previously unstudied area. We recommend that the applicant submit the results of an archaeological desk based assessment (and field evaluation, if required), in accordance with paragraph 128 of the NPPF.

Following the submission of geo-physical survey results, no objections have been raised with no further works or information required.

NETWORK RAIL

Network Rail has a number of concerns relating to the proposed development as it will increase the usage across Attleborough Station MCBOD crossing. Although this is recognised as one of

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the safest types of level crossing, there are still issues with traffic delays, failure of the barriers/lights, misuse, slips and trips, reversing onto the crossing and blocking back.

Another concern is the impact the proposed development will impose on the nearby Spronce's automatic half barrier level crossing. It is essential that due consideration is given to the safety of Spronce's Level Crossing as it is recognised that the automatic half barrier system fitted at this location is not as safe as that at Attleborough and as such carries additional risks.

In order for residents of the proposed development to avoid Attleborough town centre and the one way road system that is currently in place it is reasonable to assume that residents will use White House Lane, a single track road, that leads to a T junction where Spronce's Level Crossing is situated. Network Rail have concerns with the layout of this junction as the exit from White House lane via the T junction is virtually on the stop line for the level crossing. It is considered that the junction layout challenges drivers to observe both road traffic and level crossing road signals simultaneously.

At present the use of the above route is minimal while it is believed that the increased usage of the route as a result of this development will have a negative impact on the safety of this crossing for both road and rail users.

As a result Network Rail wish to request that the following information is provided to ensure a full assessment of the potential risks are considered.

- A TRICS assessment showing the forecast pedestrian trips from the development site, with a comparison table showing the increase from the baseline conditions.
- Confirmation of distribution percentage likely to route over the level crossing.

Officer Note: The information has been requested and is awaited and will be reported to committee.

CONSULTANTS TO NHS

NHSE raises a holding objection to the proposed development on the grounds that the applicant has not proven that the application fully delivers sustainable development, as it does not assess the likely healthcare impacts of the development or provide for the necessary mitigation. On this basis, the application is considered to conflict with the provisions of the Development Plan, which seek to achieve sustainable development and provide for the necessary physical and social infrastructure (and funding) to support residential development. Specifically, it is considered to be inconsistent with Policies CP4 and CP5 of the Breckland Core Strategy & Development Control Policies (2009) and conflict with the intentions and objectives of national guidance and other material considerations set out in the NPPF.

Notwithstanding the above, NHSE would be content to lift its objection in the event that an appropriate level of mitigation is proposed by the applicant and secured through a Section 106 Agreement. In this respect, it is considered that a developer contribution of £54,600 would fairly and reasonably address the identified healthcare impacts.

Officer Note: Whilst the NHSE holding objection has not been lifted applicants have submitted a revised viability appraisal which identifies that the above contributions towards mitigation for health service demands from the proposed development could be incorporated into a scheme albeit with a reduced proportion of affordable housing. The implications of this are discussed elsewhere in this report.

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NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

No objection subject to funding being provided for the following infrastructure requirements:

- Education
- Library provision
- Fire services

TREE AND COUNTRYSIDE CONSULTANT

No objection subject to arboricultural method statement and tree protection plan

HOUSING ENABLING OFFICER

Appreciate the specific issue of affordable housing will be dealt with via a separate reserved matters application, should the principle of development be found acceptable on this site. I confirm that we will seek the maximum level of affordable housing that is compatible with the viability of the site. The exact numbers, mix and size, will be decided at the later date. To ensure affordability in perpetuity, the units should be transferred to an RP at a price which assumes no public subsidy is payable, and constructed to current HCA standards.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions securing mitigation measures and biodiversity enhancement measures.

ENVIRONMENTAL HEALTH OFFICER

No objections subject to conditions

PRINCIPAL PLANNER MINERAL & WASTE POLICY

No objection

NATIONAL GRID

No objection

ANGLIAN WATER SERVICE

No objection subject to condition

H M INSPECTOR OF RAILWAYS OFFICE OF - No Comments Received

FLOOD & WATER MANAGEMENT TEAM - No Comments Received

CONTAMINATED LAND OFFICER - No Comments Received

AIR QUALITY OFFICER - No Comments Received

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FLOOD AND WATER MANAGER - No Comments Received

REPRESENTATIONS

Letters of objection have been received from 12 local residents raising the following main points of concern:

- Lack of community infrastructure including schools and health and dental practices and surgeries for existing residents which will be further exacerbated by additional housing.
- Existing traffic congestion problems within Attleborough will be worsened by the impact of the additional traffic from the development.
- Impact of additional traffic using Whitehouse Lane which is used as a rat run and is narrow and has poor visibility.
- Access and egress to site is not adequate.
- Existing draining and flooding issues along Whitehouse Lane will be increased risk of flood risk.
- The proposals would harm Whitehouse Lane which provides wildlife, hedgerows and is a scenic route used by pedestrians to access the countryside.
- Loss of hedgerow along northern boundary to provide access into the site.
- Loss of public open space to rear of site which is use to walk dogs.

ASSESSMENT NOTES

1.0 This application is referred to Planning Committee as it is a major application, contrary to policy and of significant local interest.

2.0 Development Plan and Material Considerations

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Policy Guidance.

2.2 The application site in part comprises a previously developed site within the Attleborough settlement boundary. Redevelopment of this part of the site would therefore accord with the policies within the Core Strategy and Development Control Policies Development Plan Document (2009) and the policies within the NPPF. However the remaining half of the site lies outside the settlement boundary in an area of open countryside (as defined by policies SS1, DC2, CP1, and CP14 of the Core Strategy and Development Control Policies Development Plan Document, where development is heavily restricted. The development on the remaining half would therefore be contrary to these policies. Furthermore, the site is not being put forward for 100% affordable housing under the rural exceptions policy DC5. The proposal should therefore be refused unless there are material considerations that dictate otherwise. The lack of a 5-year housing supply within Breckland district carries significant weight in the consideration of the application.

2.3 Paragraphs 47 and 49 of the National Planning Policy Framework (NPPF) state that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.72 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the

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context of the presumption in favour of sustainable development.

3.0 Principle of Development and Deliverability

3.1 The Government defines sustainable development as having three dimensions. These dimensions give rise to the need for the planning system to perform a number of roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services, and;
- environmental, through the protection and enhancement of the natural, built and historic environment.

3.2 Paragraph 8 of the NPPF stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three dimensions is required.

3.3 In terms of economic and social sustainability, the Core Strategy has identified Attleborough as having potential for substantial growth, harnessing economic expansion along the A11 corridor between Cambridge, Thetford and Norwich and providing the necessary balance of housing to support the enhancement of the Snetterton Heath employment site. It has had the most active commercial market outside Thetford and Dereham in recent years and it also has access to main line rail connections. It has a range of services commensurate with its position as a lower order centre and is able to serve the day to day needs of local residents. As a result the town is allocated to provide in the region of 4,500 new homes over the plan period.

3.4 In terms of location the site is considered to be located within an accessible location; having access to a number of local facilities within 1200 metres (15 minute walking time) which would provide residents day to day needs. These include primary and secondary schools, a library, post office, dentists and doctors surgeries, sports fields, gym and leisure facilities and large food retail premises. Public transport via Attleborough Train Station which is within walking distance of 600 metres (7 ½ minutes) would provide regular trips throughout the week to higher order towns and cities including Norwich, Cambridge and local towns such as Wymondham.

3.5 Given the location with residential properties to the north and west and that the proposed development would make use of a vacant previously developed industrial site that has not been in use for approximately 7 years it is not considered that the proposals would prejudice the supply of employment land within the District. Its location would also not, in principle, be prejudiced by any environmental designations and local air and noise quality constraints, and would be sympathetic with the character of surrounding land uses.

3.6 Although the NPPF's presumption in favour of sustainable development is engaged, paragraph 14 of the NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole; or, specific policies in the Framework indicate that development should be refused. Therefore, a development needs to be acceptable in terms of its

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environmental implications including highway access and safety, impact on community infrastructure, flood risk, landscape and townscape character, its amenity and noise implications, and its ecological and nature conservation impacts, and when balanced against the benefits of the development. These issues are considered in detail later in this report.

3.7 Although the application site is not an allocated site for development, the findings of the Council's most recent Strategic Housing Land Availability Assessment (2014) notes that the two sites that make up the application site would be deliverable and combined could provide up to 157 dwellings. The Grampian Food Site identified as being deliverable between 2014 and 2019, with the least accessible site comprising the fields within the east and southern parts of the site being deliverable post 2024. However, these sites coming forward together within the proposed development would resolve the access issues to the south and eastern parts of the site and provide a sensible and co-ordinated approach to masterplanning the sites as a whole.

3.8 Paragraph 47 of the NPPF requires new sites for housing development to be deliverable, which is defined as being available now, suitable in terms of location, and be achievable in respect of housing being developed on the site within the next five years. The applicant has indicated that the site is available now, suitable and capable of delivering units in a short timescale as part of a viable scheme and without the need for planned infrastructure and the scheme will provide a demonstrable benefit in contributing to the Council's housing land supply. The issue of viability is discussed later in this report.

4.0 Access and Highway Impacts

4.1 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Planning decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

4.2 This outline application seeks permission for the provision of up to 165 dwellings at the site with details of access to the site being considered at this stage. It is proposed to provide the main vehicular access off Buckenham Road that runs immediately to the west of the site which would provide the only vehicular access and egress to 150 dwellings. It is proposed that a further 9 dwellings would be accessed via private drives directly off Buckenham Road with up to 6 dwellings accessed off private drives off White House Lane that bounds the site to the north. A pedestrian and cycle access route would be provided to the northern edge of the site on to White House Lane connected via internal network of roads, footpaths and cycle ways to a footpath and cycle way on to the lane to the south of the site.

4.3 The application has been supported by a Transport Assessment which has assessed the existing access and traffic levels on the surrounding highway network, the proposed access arrangements and through traffic modelling has assessed the implications of the additional traffic generated by the development of up to 165 dwellings on the surrounding highways network and junctions.

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4.4 With regards to the access to the proposed development this would be provided by a new priority controlled junction off Buckenham Road, located to the north of the existing vehicular access into the site. The existing access would be closed up with footpath widened and integrated into the existing footpath along the east side of Buckenham Road. The proposed access would be located on a straight stretch of road the subject of 30 mph speed restrictions, and at a point that provides 4.5 metre by 90 metre visibility splays to the north and south.

4.5 The proposed development also includes a number of off-site highways works comprising;

1. Widening of the footpath along the east side of Buckenham Road either side of the access into the site.
2. A new uncontrolled pedestrian crossing and traffic island to north of the proposed main site access in order to assist pedestrians crossing White House Lane from the site towards Attleborough Town centre.
3. Widening of White House Lane to 5 metres in width across the frontage of the development and new 2 metre wide footpath along the site frontage and southern side of White House Lane.
4. The provision of a new bus stop on Buckenham Road would be secured by way of a financial contribution.

4.6 The above proposed works and access arrangements have been amended following consultation with the Highways Authority, who have subsequently raised no objections to the amended access proposals and the above series of highways works. The proposed access arrangements are therefore considered acceptable and would provide for safe access and egress.

4.7 Therefore, in accordance with the comments of the Highways Authority it is recommended that any outline permission is subject to conditions securing the approval of detailed plans showing the layout, construction and drainage of the access, estate roads, footpaths, cycle ways, parking areas; the provision and retention of visibility splays along Buckenham Road; details of access and parking during construction; and approval of foul and surface water drainage plans. In order to ensure that the proposed off-site highways works are carried out it is proposed that these be secured by way of condition securing submission of a scheme for the works and their undertaking in accordance with an agreement with the Highways Authority under Section 278 of the Highways Act.

4.8 With regards to traffic generation, given the number of dwellings proposed, the proposal will inevitably result in additional vehicular traffic on the surrounding highway network, and an increase in the number of vehicles queuing at the surrounding level crossings. Indeed the concerns raised by surrounding residents and the Town Council with respect to existing congestion and the implications of additional traffic on the network are noted.

4.9 The submitted Transport Assessment has assessed the cumulative impacts of the proposed development together with background traffic growth, along with committed development and notes that the proposed site access, and the Buckenham Road and White House Lane junctions would operate within capacity. In addition a review of the Station Road junction with Connaught Road identifies that this junction would work within capacity limits following growth of baseline traffic levels, committed development traffic on nearby sites and the traffic associated with the proposed development.

4.10 Furthermore, a review of accidents within the local area does not identify that there are any

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specific issues with the arrangements of the surrounding highway network and as a result that it is not necessary to carry out safety improvement works. A safe routes to school assessment has also been undertaken and has not identified constraints or that there any improvements necessary to provide for safe access to local schools.

4.11 In order to reduce the level of vehicular traffic associated with the development and encourage sustainable travel choice a Residential Travel Plan Framework has also accompanied the application and proposes that, prior to the occupation of the subsequent development, it incorporate a number of measures to minimise travel by private motor-vehicle. These would include, a Site Travel Plan Co-Ordinator; residents' travel information pack; the promotion of public transport; a community car sharing scheme; bicycle club, promotion of a walkit website and cyclestreets website, and personalised travel planning service provided by the travel plan co-ordinator.

4.12 These would be supplemented by the following physical measures and financial incentives including the provision of bus shelter on Norwich Road, cycle parking within Attleborough Town Centre, and provision of one month free travel on bus and train services between Attleborough and Norwich. Together with the provision of a permeable layout and form provided by a network of clear footpaths and cycle ways, along either residential streets, and through areas of public open space within the detailed design and layout of the scheme within reserved matters applications.

4.13 In order to ensure this framework travel plan is drawn up into a detailed Travel Plan alongside the detailed design and layout of the site, with appropriate timescales for implementation and monitoring regimes, a condition has been recommended requiring the submission of a detailed Residential Travel Plan within reserved matters applications, including timescales for its implementation and ongoing monitoring.

4.14 Having regard to the evidence within the submitted Transport Assessment and the comments of the Highways Authority the application is considered to accord with paragraph 32 of the NPPF, which states that, 'development should only be refused on transport grounds, where the residual cumulative impacts of development are severe'.

5.0 Landscaping and Ecological Implications

5.1 Both Core Strategy policy CP10 and the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological networks and linkages where possible. Furthermore, in order to accord with Section 40 of the 2006 Natural Environment & Rural Communities (NERC) Act, paragraph 118 of the 2012 National Planning Policy Framework (NPPF) and policies CP6, CP8, CP10 and CP11 and of the 2012 Breckland Adopted Core Strategy & Development Control Policies Development Plan, all of which promote the conservation and enhancement of biodiversity through sustainable development, the applicant must do more to ensure that the scheme constitutes sustainable development and that the existing natural features are conserved in a way that guarantees their long-term viability.

5.2 The site currently consists of a vacant, previously developed, industrial site which includes some mature screen planting along the north and western boundaries. The agricultural land that makes up the other half of the site is largely open with limited tree cover other than at its edges where it is bounded by hedgerows to the north, and a mix of semi-mature, and mature trees. The

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application has been supported by an Arboricultural Constraints report which identifies the hedgerows as being important arboricultural features worthy of retention. It is noted that these form an important landscape feature within the surrounding area and are of ecological and aesthetic value. Whilst a section of the hedgerow along the northern boundary along White House Lane would be removed to provide access to up to 6 dwellings along this site frontage, in order to ensure that there is adequate replacement hedgerow and tree planting, a condition has been recommended requiring the submission of a replacement planting scheme to this northern boundary.

5.3 The trees within the site are not protected by way of a Tree Preservation order or being within a Conservation Area. The Tree and Countryside Consultant has raised no objections to the proposed development subject to the submission of detailed Tree Protection plans, Arboricultural Impact Assessment and Method Statement at reserved matters stage.

5.4 With regards to the ecological and biodiversity implications of the proposed development the application has been accompanied by an Ecological Report and appropriate surveys. The Report concludes that the development would have no adverse impact on statutory or non-statutory wildlife or conservation sites. It concludes that the site is of low ecological value being previously used for industrial purposes and is otherwise largely open and rough agricultural land. It is noted that the hedgerows bordering and within the site provide opportunities for foraging of bats as well as nesting birds and hedgehogs. The trees and buildings habitats were surveyed for bat activity in 2014 which identified the site's use by brown long eared and pipistrelle bats. As a consequence further Bat Surveys were undertaken 2015 which identified that building B, towards the northwest corner of the site, was used for foraging purposes by brown long eared bats and pipistrelle bats but that it is unlikely to have been used for roosting.

5.5 The report concludes that there would be no site constraints that would prevent the site coming forward for development and that mitigation and enhancement measures should focus on the provision of bird and bat boxes, providing foraging and nesting habitats, structural planting and landscaping to encourage bat and bird activity and mitigate for any loss of foraging habitats.

5.6 The Ecology Consultant has reviewed the submitted reports and surveys and has raised no objections subject to the following measures being secured by legal agreement and / or conditions on the grant of permission.

- the provision of a minimum of 6 bat boxes;
- provision of bird boxes;
- sensitive planting and landscaping scheme consisting of native species;
- infill hedgerow planting and 2 metre strips of amenity grassland to support structural diversity of the hedgerows;
- detailed planting scheme to enhance the biodiversity of the northeast corner of the site around the attenuation pond through native aquatic and marginal species to attract invertebrates, and provide foraging for bats.
- Restrictions on vegetation clearance outside the bird nesting season unless a survey has been undertaken by a suitably qualified ecologist.
- Sensitive lighting scheme avoiding the illumination of trees, hedgerows, shrubs and scrub habitat.

5.7 In line with these recommendations and the recommendations within the submitted Ecological and Bat Survey Report it is recommended that the above mitigation and precautionary

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measures, and measures to enhance biodiversity, would be secured by way of conditions on the grant of the outline permission. In addition, in order to ensure the ongoing management maintenance of the open space, it's associated structural landscaping, grassland and aquatic habitats it is proposed that the legal agreement secure approval and implementation of a detailed landscape open space management plan.

5.8 Therefore, subject to suitably worded conditions being applied to any outline permission, requiring the implementation of precautionary measures for vegetation clearance works; the submission a scheme for the provision of bird and bat boxes; the submission of a detailed landscaping and biodiversity enhancement scheme at reserved matters stage; the submission and approval of a detailed lighting scheme, the proposed development would not result in significant harm to ecological and nature conservation interests and would accord with Core Strategy Policy CP10 and the relevant requirements of the NPPF.

5.9 In conclusion, it is considered that there are no overriding constraints to the development of the site in terms of ecology and nature conservation interests and that, subject to the provision of the above mitigation and enhancement measures, the proposed development has the ability to provide a net gain in biodiversity value and as a result would accord with the objectives of the NPPF and Core Strategy policy CP10.

6.0 Impact on the Character and Appearance of the Landscape and Surrounding Area

6.1 One of the core planning principles listed in the NPPF says that planning should 'take account of the different role and character of different areas, and this includes recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it' (paragraph 17).

6.2 Policy CP11 of the Core Strategy seeks to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character. Development within the District is also expected to be of the highest design quality in terms of both architecture and landscape. It should have regard to good practice in urban design and fully consider the context within which it sits. It should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.

6.3 The north-western most part of the site currently accommodates vacant industrial buildings and areas of overgrown hardstanding which themselves have a negative impact on the townscape along Buckenham Road and White House Lane. Subject to detailed design and landscaping at reserved matters stage, the proposal would enable their removal and replacement with a sympathetically designed and landscaped scheme of residential properties that would result in an improvement of the quality of this part of the townscape.

6.4 With respect to the remaining half of the site that comprises flat open fields, the proposal would clearly represent a significant change in the nature and appearance of the land and the assessment to be made is whether the impact on the land would be significantly harmful to the local area.

6.5 The 'Breckland Settlement Fringe Landscape Assessment (July 2007)' identifies a clear distinction between the landscape quality of land to the north of the A11 and that to the south. The Assessment concludes that sensitivity to change to the landscape around Attleborough is

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judged to be 'moderate overall' which reflects the higher sensitivity of the more intact landscape to the north of the A11 and the lower (moderate-low) sensitivity of the landscape inside the A11. It is also noted that the site is not located within an area designated to be of important landscape character. It is considered that, whilst the scheme would result in some localised harm due to the loss of the present open aspect of part of the site, the proposals would not intrude to a significant extent into open countryside given the built form immediately to the north, and west and would be seen as a logical extension of the settlement boundary. As a result it is not considered that there would be significant adverse impacts on the wider landscape character of the area.

6.6 The submitted masterplan provides an indication of the scheme that is likely to come forward and establishes the general principles of how the site will be developed. The residential development is set within landscaped areas of open space in the north-eastern corner with further landscape open space to the southern boundary to soften the transition into the open countryside beyond. The retention of existing hedgerows and trees along the north, south and east boundaries would reflect the importance of the existing strong landscape structure along the field and highway edges that bound the site which are an important feature of the site and surrounding landscape. In order to ensure the adequate replacement and that there is no long-term harm caused to the rural character of White House Lane, a condition is also considered necessary requiring detailed landscaping and planting plans showing a replacement planting scheme to the entire northern boundary of the site along White House Lane.

6.7 The density of the proposed development would be 36 dph which is not dissimilar to the density seen within the late 20th century suburban housing seen on the opposite side of Buckenham Road. It would also reflect the site's accessible location in close proximity to Attleborough Train Station and within walking distance to the amenities within Attleborough Town Centre. In terms of scale it is noted that the adjacent built form is characterised by modest single and two storey dwellings and given the site's location on the edge of the settlement, abutting open countryside to the south and east, it is considered necessary to restrict the height of the development coming forward on the perimeters of the site to two storeys in height.

6.8 Having regard to the above, it is considered that the indicative masterplan submitted with the application shows that, in principle, a suitable scheme can be achieved that takes account of its context and does not result in any significant harm to the character and appearance of the surrounding landscape and townscape. It is concluded that, subject to the submission of detailed plans in respect of additional and replacement planting and open landscaping, restrictions on the scale and height, elevation treatments, design and layout, the proposed scheme is capable of being implemented in accordance with Policies DC02 and CP11 of the Core Strategy and the NPPF.

7.0 Amenity Considerations

7.1 It is noted that the site sits within a mixed use area abutting the open countryside with residential properties located to the north and west, and with commercial premises immediately to the south and within an industrial area further to the northwest. Given the nature and characteristics of the residential use it is considered that the proposed residential form of development would be compatible with surrounding uses,

7.2 With regards to the impact on existing residents, it is noted that the proposed development would result in additional noise and disturbance generated by the increased traffic and activity

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associated with the proposed development of up to 165 dwellings. However, given the existing character of the area and baseline conditions this is not considered to result in a significant over-riding harm to the amenity of neighbouring residents. The proposed layout as indicatively shown on the proposed masterplan would provide adequate separation distances to those facing dwellings to the north of White House Lane and west of Buckenham Road,

7.3 The Council's Environmental Health Officer has raised no objections to the proposed development subject to conditions securing the submission and approval of a full construction method statement to manage operations and activities during the construction of the proposed development. Subject to this condition, it is considered that the proposed development would not result in any over-riding harm to neighbouring occupiers during construction of the development.

7.4 The impact on the existing commercial vehicle garages and show rooms that adjoin the site to the south and west has been taken into account with existing planting to be retained along the boundary and internal access routes to be provided along these boundaries to provide a buffer to the proposed residential properties. Nevertheless, in order to ensure adequate levels of amenity for the future occupants and ensure the adjacent commercial uses are not compromised, a condition has been recommended in line with the recommendation of the Council's Environmental Health Officer to secure the approval and implementation of a scheme of noise attenuation measures.

7.5 Given the density, height and scale of the dwellings proposed it is considered that, in principle, the proposals would provide for an acceptable form of residential environment and it is noted that the provision of adequate private amenity space, and levels of outlook and daylight for each dwelling and its future occupants would be secured through the detailed design of the proposed development within reserved matters applications and its assessment against the above policies. Therefore, subject to the above conditions, the application accords with Core Strategy Policy DC01.

8.0 Drainage and Flood Risk

8.1 Paragraph 103 of the NPPF stipulates that 'when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the sequential test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems'.

8.2 The non-statutory technical standards for SUD's dated March 2015 require that for:

- Peak flow control that for greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
- Volume control that where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100

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year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

8.3 The application has been supported by a Flood Risk Assessment and Drainage Strategy which identifies that the site is shown on The Environment Agency Flood Map as being within Flood Zone 1 the lowest risk of flooding event occurring, (a 1 in 1000 year event). The site is therefore considered appropriate in principle for a more vulnerable form of use and for residential development. The FRA concludes that the site would be at low risk of flooding from fluvial, tidal and groundwater flows and sewer overflows.

8.4 With regards to overland flows, the northeastern corner of the site is identified as being at medium to high risk of surface water flooding. In addition, whilst part of the site already comprises hard landscaped areas, it is noted that over half the site is open farmland and as a result of the proposed development up to 77% of the site area would become impermeable through buildings and hard surfaces.

8.5 In order to manage and dispose of surface water, the Flood Risk Assessment notes that, due to the geology of the site being within the Lowestoft formation, this would limit the effectiveness of infiltration methods of disposing of surface water. Therefore, it is proposed within the drainage strategy to manage surface water runoff from the buildings and hard surfaced areas through the provision of a number of on site surface water attenuation and storage measures. These include; a detention pond in the northeast corner of the site, 3 no. sub surface geo-cellular storage tanks; a number of flow control chambers to manage flows. Storm water falling on the landscape open space would be allowed to drain naturally by infiltration. The proposals would therefore accord with the hierarchy for the drainage of surface water set out in the NPPG, which requires infiltration to be used first if possible, then discharge to a surface water body, then to a surface water sewer or other form of drainage system.

8.6 The strategy has been designed to ensure that discharges into the ditch to the north of the site do not exceed the 1 in 100 year existing greenfield run off rates. This would be controlled by flow control devices to 1 in 100 annual probability storm inclusive of implications of climate change resulting in additional 30% peak flows. In ensuring discharge rates would not exceed the existing greenfield discharge rates the proposals would accord with the SUDS Technical Guidance.

8.7 It is also noted that the proposed drainage strategy in being designed to provide for actual flow rates well below the natural greenfield runoff rate allowing for existing capacity issues within the local ditch network to the north of the site.

8.8 Foul water would be disposed of via the existing foul water connection into the existing network which Anglian Water in pre-application discussions with the applicant have confirmed would have adequate capacity to manage the flows from the proposed development. Maximum flows to the existing system of have been agreed with Anglian Water to be limited to 4.34 l/s with the remainder being temporarily stored on site for 24 hours in wet wells before being pumped via a rising main and pumping station to the existing network.

8.9 The Flood Risk Assessment and Drainage Strategy accompanying the application has been considered by the Environment Agency and Anglian Water. Both have confirmed that they have no objection to the proposed development subject to conditions being attached to any permission securing the submission and approval of schemes for the management and disposal of surface water; and foul water from the site. In order to ensure the future management and maintenance

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of the on site surface water drainage system, a requirement within the legal agreement is recommended to secure the submission of a scheme for its long-term management and maintenance.

8.10 Whilst comments are awaited from Norfolk County Council as Lead Local Flood Authority, their comments will be reported to Committee. In this instance it is noted that the Environment Agency and Anglian Water have raised no objections to the proposed development, and the proposed drainage strategy has been designed in accordance with the guidance set out in the NPPF and technical standards for SUDS, and following consultation with Anglian Water. Subject to the above conditions, the proposed development can come forward in a sustainable manner ensuring the proposed dwellings would not be at significant risk of flooding and without increasing the risk of flooding elsewhere, and in accordance with paragraph 9 of the Technical Guide to the NPPF and Core Strategy Policy DC13.

9.0 Heritage and Archaeological Implications

9.1 With regard to the planning application, Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the above act similarly requires that LPA's pay special attention to the desirability of preserving or enhancing the character or appearance of any conservation area where relevant. Furthermore, the Court of Appeal has held that decision-makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

9.2 Paragraphs 132 and 133 of the NPPF identifies that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

9.3 Paragraph 139 of the NPPF indicates that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

9.4 With regards to surrounding heritage assets it is noted that there are no listed buildings or conservation areas immediately adjacent to or within the application site. The nearest listed building comprises Besthorpe Old Hall, a Grade II listed building located approximately 400 metres to the east of the application site. Whilst the proposed development would move the urban footprint further east towards this listed building, it is noted there would still be a substantial buffer of open agricultural land between the residential properties and the curtilage of the listed building. In addition, given that the intervening buildings immediately around Besthorpe Hall and planting along field and highway edges screen views of the hall from the west, it is not considered that the proposed development would detract from important views of the listed building. Furthermore, it is noted that when viewed from the listed building the proposed development would be seen within the context of the built form of Attleborough beyond and subject to conditions partially screened by hedge and tree planting along the site's eastern boundary.

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9.5 The Attleborough Conservation Area runs along Buckenham Road and is approximately 300 metres to the northwest, with the grade II listed Attleborough Train Station further north beyond the railway. Given the separation distance between the site and these nationally important heritage assets; the intervening built form and that the development would not be visible from these assets, and would not obscure important views of them, it is not considered that there would be any significant harm caused to their setting and significance as a nationally important heritage asset. Therefore there are considered to be no overriding heritage constraints which would preclude development on the site in accordance with Core Strategy Policy DC17.

9.6 Further to consultation comments received from Norfolk Historic Environment Services (Norfolk HES), the applicants have submitted a Geophysical Survey of the application site. The survey found no evidence of prehistoric, Roman or Saxon activity and identified the results of modern agricultural and industrial activity. As a result Norfolk HES have raised no objections to the proposed development.

9.7 Therefore, having regard to the above the proposed development would not cause any significant adverse impacts on surrounding heritage assets and would accord with paragraphs 132, 133 and 139 of the NPPF and Policy DC17 of the Core Strategy.

10.0 Impact on Availability of High Quality Agricultural Land

10.1 Paragraph 112 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.'

10.2 It is noted that the proposed development would take up approximately 2.8 Ha of agricultural land most recently been used as grazing land. The land is identified as being within grade 3 agricultural land and is therefore of moderate to good quality agricultural land.

10.3 Whilst it is noted that part of the site would utilise agricultural land classed as good quality, it is noted that the land is not currently in use, and sits immediately adjacent to commercial and industrial uses and there is a large amount of similar, if not higher, quality agricultural land within the surrounding area. Given the above, it is not considered that the proposals would result in a significant shortfall in the availability of the high quality agricultural land in the surrounding area.

11.0 Impact on Mineral Interests

11.1 Policy CS16 of the Norfolk Minerals and Waste Core Strategy requires that in mineral safeguarding areas, development proposals are supported by appropriate investigations to determine whether there any mineral resources of economic value and whether they can be extracted economically prior to the commencement of development.

11.2 The site is partly underlain with sand and gravel resources which are safeguarded under the Norfolk Minerals and Waste Core Strategy. The results of site investigation indicate that gravel is only sparsely found within the site with the majority of deposits being clayey sand. The Mineral Planning Authority has subsequently raised no objections to the proposed development, and

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therefore it is considered that the proposed development would not in principle sterilise an important and economically valuable mineral resource, in accordance with Policy CS16 of the Norfolk Minerals and Waste Core Strategy.

11.3 The Minerals Authority do also highlight the importance of re-using materials excavated from groundworks on site, and the subsequent benefits to improving the sustainability of the proposed development. Given the proposed excavation works required to provide the water detention ponds and in line with this, a requirement to provide a materials method statement within the construction management plan has been recommended.

12.0 Land Contamination and Site Conditions

12.1 Paragraph 121 of the NPPF indicates that planning policies and decisions should ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

12.2 The application has been supported by a Geo-Environmental Report which has undertaken initial desk based and site sampling and geotechnical testing of the site to provide a preliminary risk assessment. This identifies potential sources of contamination relating to the previous use of the site, and concludes that the risk to controlled waters, buildings and structures from contaminated material would be low with a low to medium risk to human health, and a low risk to human health from potential ground gas.

12.3 The Council's Contaminated Land Officer is satisfied that any contamination and ground condition issues which may exist on the site can be adequately identified and addressed by the imposition of a condition requiring the submission and approval of further detailed site investigations and sampling and where necessary the implementation of any appropriate remediation measures required before development takes place. It is also noted that the Environment Agency do not consider the presence of a principal aquifer under the site to be of high risk.

12.4 Therefore, subject to a condition securing the submission and approval of an intrusive site investigation report and risk assessment, and the approval and subsequent implementation of a scheme of remediation works and enabling ground works, it is considered that the proposed site would be suitable for the proposed residential development and the guidance contained within the NPPF would be met.

13.0 Affordable Housing, Viability & Deliverability

13.1 Core Strategy Policy DC04 requires that to meet District housing needs the Council will require 40% of the total number of housing units to be provided and maintained as affordable housing within all new residential development on sites which the Local Planning Authority

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determines has a capacity for 5 or more dwellings; or comprises an area of 0.17 ha or more.

13.2 As the application has been put forward based on a lack of 5-year housing supply, and not as an exception scheme for 100% affordable housing, it is appropriate to assess the scheme against the requirements of this policy. The applicants have submitted a Viability Appraisal which concludes that, taking into account the site constraints, costs of demolishing existing buildings and remediating the site and significant S106 obligations totalling £1,122,441, the delivery of 40% affordable housing would render the scheme unviable. A scheme delivering 4% affordable housing, results in a developer's profit of 20% and is considered to be viable. The applicants are therefore proposing to provide 4% affordable housing and are willing to enter into a S106 legal agreement to secure its provision.

13.3 On this basis the application does not accord with the requirements of Core Strategy Policy DC4. The Viability Appraisal is being independently reviewed by the District Valuer and the outcome is awaited and will be reported to Planning Committee. It is noted that paragraph 205 of the NPPF requires that local planning authorities should take account of changes in market conditions over time and wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPG also highlights, with respect to bringing back into use brownfield sites such as this, that LPA's should take a flexible approach in seeking planning obligations to ensure that the combined impact does not make a site unviable.

13.4 Footnote 11 to paragraph 47 of the NPPF states that to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Whilst the application is considered to accord with this aspect of the NPPF, Members will need to take a view as to whether or not a reduction in the level of affordable housing on site is acceptable, having regard to the acknowledged lack of housing land supply.

14.0 Infrastructure and Planning Obligations

14.1 Any permission granted would be subject to a Section 106 agreement. This would require the following obligations:

Education contribution of £1,055,505 to be put towards the following projects:

- Attleborough Infant School: £234,300 - Project A to provide for internal improvement to increase the capacity of the school.
- Attleborough Junior School: £267,135 Project A to provide internal improvements to increase the capacity of the school.
- Attleborough High School: £554,070 Project A to provide for a new classroom at the school.

Library contribution - A development of 165 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. Therefore a contribution of £60 per dwelling (up to £9,900 for 165 dwellings) would be sought for use towards ICT equipment at Attleborough Library.

Healthcare contribution of £54,600 to mitigate for the increased demand for healthcare services in the local area generated by the proposed development, to be put towards the following projects:

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- Increased capacity at Queens Square Surgery, Queens Square Attleborough.
- Increased capacity at Station Road Surgery, Station Road, Attleborough.

Provision of 4% affordable dwellings, with clawback provision following future submission of a viability appraisal.

A financial contribution of up to £127,040 towards the provision of outdoor sport facilities and equipment at Gaymers Meadow sports fields. Such a financial contribution would be necessary to accord with policy DC11 of the Core Strategy and paragraph 70 of the NPPF, in order to mitigate for the need for outdoor sport provision generated by the proposed development of up to 165 dwellings, and that this need cannot be provided either on site or elsewhere given the existing deficit of access to outdoor sport space within Attleborough identified within the Open Space Assessment 2015.

A Scheme for the design, implementation and management of the Landscape Open Space and Green Infrastructure on the site, including the provision of a Locally Equipped Area of Play (LEAP), and management and maintenance of the Sustainable Urban Drainage Systems to be provided on site.

A financial contribution towards the provision of 3 fire hydrants on site of £2,436.

A financial contribution of £15,000 towards the provision of a bus shelter on Norwich Road, Attleborough.

A financial contribution of £3,000 towards the provision of 10 cycle stands within Attleborough.

15.0 Other Material Considerations

15.1 The comments raised by both Attleborough Town Council and local residents have been taken into account in the consideration of the application where applicable. With regards to the implications on community infrastructure it is noted that appropriate mitigation to address the needs of the proposed development would be secured by way of a Section 106 Agreement. With regards to highways infrastructure, it is noted the impacts on the surrounding highway network have been assessed through a Transport Assessment and have been independently reviewed by the Highways Authority who have raised no objections to the proposed development subject to conditions.

15.2 The comments from Network Rail regarding the potential adverse implications on the level crossings in the vicinity of the application site are noted. It is noted that the proposed development would lead to additional trips being made across the railway line at the two crossing points given the need to access Attleborough Town Centre and the A11 both located beyond the railway to the north. Additional information has been sought regarding the likely level of trips generated by the proposed development across the railway line and will be reported by way of an update to the Committee. However, in this instance, it is noted that, given the location of the key facilities, and strategic highway network and public transport connections, the vast majority of trips generated by the development would be made along Buckenham Road which Network Rail identify has benefited from improvements and has one of the safest types of level crossing.

15.3 A Neighbourhood Plan is currently being prepared for Attleborough and therefore is a

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material consideration. However it remains only at a very early stage in its process of evolution. The Plan has not advanced to formal public consultation and therefore carries with it extremely limited statutory weight.

16.0 Conclusion

16.1 It is accepted that there is not a five year supply of sites within Breckland District. The National Planning Policy Framework (NPPF) is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address that deficit. The lack of a five year supply and the requirements of the NPPF are a very strong material consideration in favour of this application.

16.2 The benefits of the development can be summarised as follows:

- it is acknowledged that the proposal will provide a significant number of new dwellings that will contribute substantially towards the Council's five-year housing land supply.
- Subject to viability, 4% of the dwellings would be affordable.
- The regeneration of and improvements to the character and appearance of a vacant and disused brownfield site.
- Initial job creation during construction phase.
- Increased expenditure within the local economy from the new households.
- Additional employment opportunities generated by supply chain and multiplier effects of increased spending and need for local services.
- Increase in Council Tax receipts
- Net gain in biodiversity value (subject to conditions and detailed design).

16.3 However, balanced against this are the following adverse impacts and material considerations;

- The impact on the local landscape as a result of the loss of the existing open field at the site.
- The additional traffic on the local highway network.
- The additional levels of noise and disturbance created by the activity associated with the proposed development.

16.4 With regards to the above, the site is considered to be located in a sustainable location, within walking distance of schools, public transport facilities and a wide range of local services providing for daily needs. The pedestrian, cycle and vehicular traffic likely to arise from the scheme can be accommodated on the local highway network and it is not considered would cause any significant adverse impact on the function and safety of the surrounding highway network.

16.5 There will be an inevitable change to the rural setting of this part of Attleborough due to the loss of the open fields that make up part of the site. However, the site is not within an area of recognised landscape quality and comprises a substantial vacant site that itself has an adverse impact on the appearance of the surrounding area. The proposed development would be seen within the context of the adjacent built form to the north and west. In addition, subject to conditions securing the retention of the hedgerows along the north, south and western boundaries together with replacement and additional tree planting along the north and eastern boundaries the proposal would retain existing important landscape features and be screened from the open countryside to the south and east and as such would not intrude to a significant

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extent into open countryside. Furthermore, subject to conditions, the proposed development would not result in any significant overriding harm to residential amenity and the environmental quality of the surrounding area. In addition, subject to conditions securing the provision of replacement tree and hedgerow planting along the northern boundary, and additional planting along the eastern boundary there would be no overriding harm caused to the character and appearance of the surrounding landscape.

16.6 For the reasons set out in this report, and summarised above, it is concluded that the site is in a sustainable location for housing development, and that the benefits of the scheme, taking into account the development plan and the policies of the NPPF as a whole, would significantly and demonstrably outweigh any identified harm, and there are no material considerations of sufficient weight to justify refusing planning permission.

17.0 RECOMMENDATION

17.1 The application is recommended for approval, subject to conditions, the completion of a S106 legal agreement, a section 278 agreement to cover the off-site highway works, and subject to the review of the District Valuer and comments received from the Lead Local Flood Authority and information with respect to trip numbers across the level crossings to the north.

17.2 Delegated authority is requested for the application to be refused by the Council's Planning manager if the legal formalities in respect of the Section 106 are not completed within three months of any resolution to approve by members or that the Planning Manager has the authority to agree another more appropriate time scale for the completion of any such agreement.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (3 years)
- 3058** Standard Outline Condition
- 3047** In accordance with submitted
- 3920** Site Investigation
- 3920** Details of slab levels
- 3920** Foul and Surface water drainage scheme
- 3920** Construction and demolition method statement
- 3920** SHC01 - Detailed plans of roads, footways, cycleways,
- 3920** SHC02 - Accordance with Highway specifications
- 3920** SHC03A - Surfacing
- 3920** SHC19 - Visibility splays
- 3920** SHC 39 - Scheme for Off site highways works
- 3920** CEMP - Construction Ecology mitigation measures
- 3920** Scheme for bird and bat boxes on site
- 3920** No vegetation clearance in bird nesting season
- 3920** Detailed landscaping and planting scheme with REM

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- 3920** Arboricultural Impact, Method Statement and Protection Plan
- 3920** Lighting scheme prior to occupation
- 3920** Noise attenuation scheme
- 3920** Materials and Waste Management Plan
- 3920** Design and access statement with REM
- 3920** Details of footpath/cycle way emergency access with REM
- 3920** Detailed Residential Travel Plan with REM
- 3920** Scheme for 10% of energy from renewable sources
- 3920** Dwellings on perimeter restricted to max 2 storey in height
- 3988** NOTE: Submitted details indicative only
- 3992** Non-standard note re: S106
- 3972** NOTE: Bats and Owls
- 3970** NOTE: S106 agreement re drainage works
- 3960** NOTE: E.A notes attached
- 3994** Contaminated Land
- 3989** Hedgerow Regulation
- 3962** National grid Notes attached
- 3994** Highway note

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ITEM	6	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0682/F	CASE OFFICER: James Tipping
LOCATION:	LITTLE ELLINGHAM Kerry Food Ltd Attleborough Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: Grade II
APPLICANT:	Mr Liam Burke Kerry Foods Rookery Farm	
AGENT:	Taylor Rose UK Ltd 11 The Crecent Plymouth	
PROPOSAL:	Construct an extension to existing factory, relocate entrance from the highway & additional HGV handling areas	

KEY ISSUES

Principle of development/expansion of existing business
Sustainability
Design, scale, materials and visual impact
Impact upon residential amenity (odour, noise and operating hours)
Highway safety, parking provision and turning area
Ecology

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission to provide an extension to the existing factory premises on the Kerry Food site which operates from Attleborough Road in Little Ellingham. The proposal comprises the following:

- Extension and modifications to the existing factory to its south eastern side,
- The relocation of the entrance on Attleborough Road,
- The provision of additional HGV handling areas within the site,
- Increase in parking and cycling provision,
- Proposed increase in operating hours, and
- Proposed increase in staffing levels.

The development will be delivered in two phases: phase 1 - site compound, dispatch area, four loading bays, lorry park and new access; Phase 2 - new cook facility and associated service rooms, high care changing and access corridor, and high level plant area. Off-site works include the provision of additional passing bays along Attleborough Road.

The application is supported by the following documentation:

- Planning Statement,

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- Ecology report (dated September 2015)
- Phase 1 Desk Study report (dated July 2015)
- Noise Assessment Report (dated September 2015)
- Odour information
- Transport information

SITE AND LOCATION

The site is that of an established food processing company in a rural location near to the village of Little Ellingham. The site is located outside of any identified General Employment Areas. The site comprises a factory building, storage, office and staff facility buildings (of various designs and scales), and associated parking and turning areas employees and lorries. Views into the site are limited to those from the existing access due to extensive hedging along the highway boundary to the north. A Grade II listed building stands within the wider site to the west. The site is bound by agricultural land. An existing operational poultry farm is located approximately 250 metres to the east, with the nearest residential property located 200 metres to the west at Little Ellingham.

EIA REQUIRED

No

RELEVANT SITE HISTORY

- 3PL/2014/0509/F - full planning permission for new office buildings, extensions and modifications - approved.
- 3PL/2012/0994/F - full planning permission for a single-storey extension to toilets - approved.
- 3PL/2012/1127/F - full planning permission for a new boiler house - approved.
- 3PL/2001/1303/F - full planning permission for a replacement fire damaged building including the rebuilding of the existing tray store - approved.
- 3PL/2000/1032/F - full planning permission for the extension of the factory (east side of unit) - 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.09	Pollution and Waste
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.07	Employment Development Outside of General Employment Area
DC.12	Trees and Landscape
DC.16	Design

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DC.17	Historic Environment
DC.19	Parking Provision
NP	Neighbourhood Plan - none applicable
NPPF	With particular regard to paras.7, 8 and 9
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

Not Applicable

CONSULTATIONS

LITTLE ELLINGHAM P C -

Original comments

The Parish Council has given very careful consideration to this planning application which has major implications for the quality of life of the residents of Little Ellingham, as well as for neighbouring villages. The Council held an extraordinary meeting last month at which the application was discussed, and Kerry Foods attended the normal bi-monthly meeting last week at which they explained their plans for expansion and answered questions from the public. There was a significant turn-out of residents at both meetings, all of whom expressed great concern about what is proposed.

The Council is also aware that other Parish Councils in the area Great Ellingham, Rocklands, Hingham and Scoulton have reservations about the proposals, and that the comments posted on the relevant page of Breckland's website demonstrate universal opposition to this development. The Council is firmly of the view that the location of Kerry Foods, so close to a small rural settlement, already creates tensions, and that the possibility of expansion will simply exacerbate these and, unless addressed at this stage, will lead to greater problems in the future. Policy DC7 of the Core Strategy foresees situations such as these, where industries and/or businesses would be detrimental to local amenity if located in settlements. Against this background, the Council's preference is for this application to be refused on the grounds that the location is unsuitable for an industrial activity of this scale and nature, and that relocation to a dedicated employment zone close to and easily accessible from major roads such as the A11 would be a more appropriate strategy for Kerry Foods to pursue.

However, should the Core Strategy and National Planning Policy Framework (NPPF) point towards this application being approved, the Council feels strongly that any consent should be subject to a number of conditions which should include the following.

1. Noise

Over the past year there have been numerous complaints about noise emanating from Kerry Foods, and these have involved Breckland's Environmental Protection Officer. The noise can be described as noticeable and intrusive, as defined in the NPPF. The Council understands that a noise survey undertaken by Kerry Foods has identified at least one item of machinery or equipment which is causing unacceptable levels of noise.

It is therefore important that noise is properly controlled in future, especially as Little Ellingham currently suffers little if any ambient noise other than from Kerry Foods. Both CP9 and DC1 of the Core Strategy should be applied in this respect.

2. Lighting

Kerry Foods have recently made improvements to external lighting on the site, mainly in response to concerns raised by the Council at the time of a planning application in 2012, and in accordance

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with the conditions attached to that planning consent.

Now, as then, Little Ellingham is a village with no street lighting, in an area of dark skies and close to the observatory in Great Ellingham. It is critical therefore to ensure there is no light spillage, or compromise of the existing dark landscape (NPPF and Policies CP9 and DC1).

3. Odour

As with noise, complaints have been made about offensive odours emitted by Kerry Foods's operations on site, and caused as a result of food processing. It is technically possible for such odours to be eliminated by effective filtration systems, and so the Council expects any new plant installed within the proposed cooking facility to be fitted with such systems in order that the development is fully compliant with CP9 and DC1.

4. Landscaping

The Kerry Foods development is a major intrusion on the local landscape, and especially so when so close to a small nucleated village. Over the years, some attempts have been made at screening, but little has been done to break up the mass of buildings on the southern and eastern boundaries of the site. With an increase in scale of some 37%, Policy DC12 which sets out the Council's aim to secure appropriate landscaping schemes to mitigate the impact of new development is highly relevant in this context.

5. Traffic movements

All roads, both into Little Ellingham and within the parish, are unclassified roads, and all are virtually single track. The Council understands that as part of the proposed development, Kerry Foods intend to utilise dual layer HGVs. Inevitably, these will be larger and heavier than existing HGVs accessing the site, and even more unsuited to the local road network. Existing traffic already causes substantial problems, and there have been instances of an HGV colliding with the school bus, HGVs regularly mounting pavements, HGVs trying to squeeze down narrow lanes (eg Wood Lane, Anchor Corner, Rocklands Road, Scoulton Road) and numerous other incidents. The Council therefore urges consideration of the use of NPPF planning obligations and/or planning conditions requiring Kerry Foods to contribute towards a number of traffic control measures, including the following:

- A 7. ton weight limit on all roads leading into Little Ellingham
- No access for HGVs signs at either end of Wood Lane and Anchor Corner/Goose Common
- A series of passing bays along the road between Kerry Foods and the cross roads on the Hingham to Great Ellingham road
- Kerbing of the highway closest to Kerry Foods to prevent overrunning of grass verges and consequent damage to the road edge (without this measure and the one above, there is a risk of cars being forced off the highway by HGVs, as currently happens, with resultant damage to body work and suspension)
- Sub-standard sections of the road between Kerry Foods and the cross roads on the Hingham to Great Ellingham road to be strengthened in order to cope with the dual layer HGVs.

Moreover, the proposed new entrance to physically stop HGV's leaving the factory from turning left towards the village, whilst an excellent idea, does not address the problem of HGV's approaching the factory through the village. Unless the factory obtains a different postcode to the one it currently shares with properties in Attleborough Road, HGV's travelling from abroad and relying on satellite navigation will continue to approach the factory via the village, causing mayhem as they try to negotiate sharp turns in the road, mounting pavements and verges in order to avoid colliding with other vehicles. This problem has not been addressed by Kerry Foods, nor does it feature in their planning statement, but it is essential that they do address this, possibly in part by applying for their own individual postcode. In addition, overseas drivers should confirm their understanding of the correct route and access to the factory prior to starting their journeys. The Council is also concerned at the unauthorised use of concrete hard-standing at approximately TM 018987 as an overnight lorry park.

Finally, the Council has noted the comments of Breckland's own Historic Buildings Consultant who has made the point that Rookery Farm is in a semi parlous state and that the preservation of

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this listed building should be addressed. Likewise, your Ecological and Biodiversity Consultant has recorded the need for a habitat survey, as well as a possible requirement to conduct further surveys for bats and great crested newts. This need for a habitat survey should not be overlooked since there is documented evidence of an active and thriving bat population in the village including recent recordings of Noctule, Serotine and Brown Long-eared species as well as the rarer Nathusius' Pipistrelle and Natterer which are not commonly recorded. Also, the Environmental Protection Officer has suggested conditions relating to past contamination of the site. The Council supports all these comments.

In conclusion, Little Ellingham Parish Council is seriously concerned at the potential impact of this proposed development, and hopes that Breckland Council, when determining the application, will ensure the Council's views are fully taken into account and that, should consent be granted, conditions are imposed to ensure that the quality of life for the residents of Little Ellingham is not further impaired.

Subsequent comments 28/9/15

The Parish Council has now had an opportunity to consider the additional information provided by Kerry Foods, and its comments are set out below using the same headings as in the revised planning statement:

1. HGV generation

The Council continues to be concerned about the increased numbers of HGVs and other traffic which will be generated as a result of this proposed expansion. Whilst the use of double deck HGVs may ameliorate this to some extent, the local road network simply cannot accommodate this form of transport. Even now it is wholly unsuitable for the sort of transport serving Kerry Foods. In addition the appendix, which lists the average weekly inbound deliveries, clearly shows that current traffic levels are unsustainable in this location. It is inevitable that these will increase significantly if expansion goes ahead.

It is also the case that a change in shift pattern from 5.5 days per week to 7 days per week, as well as the recruitment of extra staff, will lead to yet more traffic passing through the village.

2. Routing strategy

It would appear from Appendices 9 and 10 that Kerry Foods are misdirecting their suppliers. The wording "at the crossroad junction with the B1077, turn left, then immediately right towards Hingham" suggests that HGVs are being encouraged to use Long Street in Great Ellingham, rather than exiting the A11 at Attleborough and following the B1077 to Great Ellingham before turning onto the Hingham road.

It is not clear from the Rossi Long drawing what the official travel route is for employees, and it would be helpful if this could be clarified.

3. Traffic routes

Kerry Foods are proposing to construct one passing place on the C777. As stated in our letter of 7 September, the Council believes that a minimum of three passing places will be needed. This view is borne out by the NCC Highways Development Management Officer who, in her letter of 24 August, suggests that localised widening will be necessary.

4. Noise generated

Whilst the Council welcomes the response of Kerry Foods to the issue of noise generation, in particular that noise levels at 250m could be reduced from 35dB to 8.47dB, it is important to stress that, along with traffic volumes, this is an element of Kerry Foods' activities which causes

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most concern locally.

5. Environmental and Policy DC1 and DC12

As mentioned in our letter of 7 September, it is important to have a proper landscaping plan for this site, regardless of whether the current application is approved. The use of the word "screening" suggests a minimal approach which might hide parts of the installation, but which will do little to integrate the bulky nature of these buildings into the wider landscape. The Council is firmly of the view that the appointment of a qualified landscape architect, with a track record of landscaping sites such as this, should be a condition of any planning consent.

In framing these comments, the Council remains concerned at the impact this proposed development will have on the quality of life for the residents of Little Ellingham, reiterates the views set out in our letter of 7 September, and in particular believes that it would be more appropriate for Kerry Foods to be located in a dedicated industrial zone close to the A11, but that if consent is to be granted it should be subject to conditions relating to traffic movements, including a weight limit on the roads leading into and out of Little Ellingham, light pollution, noise, odour and landscaping.

HINGHAM TOWN COUNCIL -

Hingham Town Council have concerns regarding the increase in traffic that is likely to be caused by the expansion of the Kerry Food Site. The application states the predicted increase in staff, but was limited in the information provided regarding any additional lorry movements that would have an affect on the safety of the surrounding C roads. These local roads are already subject to heavy agricultural vehicles, a number of large lorries and speeding traffic. The Town Council would recommend refusal on the grounds of road safety/ unsuitable road network (narrow roads/ junctions with reduced visibility)for any additional heavy duty traffic.

GREAT ELLINGHAM P C -

I am surprised that you have not brought the above mentioned application to the attention of the Great Ellingham Parish Council. Whilst the site is in Little Ellingham (just) the vast majority of the traffic that emanates from the site comes through Great Ellingham and, in so doing, has to manoeuvre through the staggered junction of the Attleborough / Watton / Hingham Roads and Chequers Lane, which is made even more complicated by the presence of the village school, with its concomitant vehicular and foot traffic. This junction has been adjudged by the NCC School Safety Officer as the worst junction for school children to cross in Norfolk.

Whilst the Parish Council would normally support projects which bring employment to the area, it cannot, in all conscience, support this application, as to do so would increase the danger to the schoolchildren, parents and teachers plus other users of the junction.

The situation will be made worse still should, as is rumoured, Orbit Homes submit an application to build 80 homes on the land adjacent to the junction and opposite the school. BDC refused their application for 39 homes but, rather than appeal this decision, they seem to have decided to combine their Phase 1 & 2 plans. I guess they are thinking it will be cheaper to fight one appeal rather than two.

It is our contention that NCC Highways and BDC need to evaluate these two developments jointly as, were they to go ahead, the consequential road safety issues would be serious indeed.

I note that there is no Highways Report on the BDC Planning Portal. Please confirm that NCC Highways have been consulted and a report will be forthcoming.

HISTORIC BUILDINGS CONSULTANT

Whilst I have no objection to the proposal in broad terms, I am concerned that the listed building,

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Rookery Farmhouse, would appear to remain in a semi parlous state. In association with the apparent growth of the commercial concern, I am of the opinion that the ongoing preservation of the listed building must be addressed before its ongoing preservation becomes problematic.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The Ecological Report (Wild frontier Ecology, 2015) sufficiently addresses any potential ecological issues.

We have no further concerns in relation to ecology, provided that the mitigation measures set out in the Ecology Report are adhered to throughout the development.

In order to ensure that there are no adverse impacts upon protected species, the recommendations set out in Section 7 of the Ecological Report should be adhered to throughout the development. Should any protected species be encountered at any point during the construction process, all activities must immediately cease and the advice of a suitably qualified ecologist should be sought.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections to the application and subsequent information submitted subject to conditions. Final comments and conditions will be provided as a supplementary to the committee report.

FLOOD & WATER MANAGEMENT TEAM

We recommend that Local Planning Authorities (LPA) refer the applicant to this standing advice on our website.

ENVIRONMENTAL HEALTH OFFICERS

Based on the information provided to me at this time, I recommend approval providing the development proceeds in line with the application details and subject to conditions to control noise, odour, lighting and vermin.

CONTAMINATED LAND OFFICER

No objection subject to contaminated land condition.

No further comments in respect of additional information on the grounds of contaminated land.

AIR QUALITY OFFICER

The application has been considered. No Air Quality objectives set out in LAQM TG(09) are likely to be breached and there are no objections on grounds of Local Air Quality Management.

NATURAL ENGLAND

No objections.

ENVIRONMENT AGENCY

We have no objection to this application .

The site is located above a Principal Aquifer. However, we do not consider this proposal to be

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High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

SOUTH NORFOLK DISTRICT COUNCIL - No Comments Received

ANGLIAN WATER SERVICE - No Comments Received

REPRESENTATIONS

A total of 43 responses have been made to the planning application, including comments relating to the additional submitted in support of the application. Of those 43 response, 19 were objections. A summary of the issues raised are as follows:

- factory in the wrong place and should be located within an appropriate employment location,
- increase in traffic from both cars and HGV's,
- lorries using very narrow roads around Little Ellingham,
- niether Great Ellingham or Little Ellingham have the road infrastructure necessary for this development,
- concerns for other road users due to any increase in vehicular traffic,
- environmental issues relating to industrial noise (including background noise), light pollution and particularly odour problems since the last raft of changes/expansion,
- little regard for all traffic from HGV's,
- shift workers driving at speed through the village,
- Little Ellingham does not have the infrastructure to support this expansion with no benefit economically,
- the proposed access arrangements may prove difficult for HGV's to negotiate if they come through the village,
- more traffic means more likelihood of an accident on the highway,
- reversing alarms can be heard from the site,
- signs directing HGV's to the factory must be improved.

ASSESSMENT NOTES

1.0 This application is referred to Planning Committee as the proposal is a major development and has received objections from the Parish Council(s).

2.0 Principle of Development/Expansion of Existing Business

2.1 Whilst the site is not allocated for employment use, the business has been operating from the site for many years and is well established. Policy DC07 of the Breckland Core Strategy supports employment development outside of identified General Employment Areas where (a) It is demonstrated that there are no other suitable sites available on identified or allocated employment sites; (b) There are particular reasons for the development not being located on an established or allocated employment site including the expansion of an existing business, and industries and/or businesses which would be detrimental to local amenity if located in settlements, including general employment areas. The policy also makes reference to traffic impacts, and states that the proposed development should not adversely affect the type and volume of traffic generated.

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2.2 In respect of other suitable sites, the applicant has made clear that due to operational requirements, the most feasible option for the established business is to extend the facility. In addition, moving the facility would mean obtaining British Retail Consortium (BRC) accreditation on a new site, which is not feasible at this time due to the timing constraints of the business. Moreover, the proposal is for the expansion of an existing business, which is supported by Policy DC07 in this instance.

2.3 The highway impacts that require addressing through Policy DC07 are discussed at section 5 of this report. Therefore, in this instance, it is considered that the principle of the scheme accords with Policy DC07 and the requirements of the NPPF.

3.0 Sustainability

3.1 There are three dimensions to sustainable development, which are economic, social and environmental. The purpose of the planning system is to contribute to the achievement of sustainable development as referred to within paragraphs 6, 7, 8 and 9 of the NPPF. How sustainable development relates to the proposal is discussed as follows:

3.2 Economic role - The Kerry Foods factory at Little Ellingham is an established business which has been operating at the site for a number of years. The premises have grown and expanded due to the success of the company, which has seen an increase in staffing levels to around 300 employees that now work at the site. As part of the proposal an additional 26 local jobs will be created as part of the expansion of the existing premises.

3.3 Social role - Kerry Foods endeavours to be a 'good neighbour' to those who live in close proximity to the factory, and beyond. In this regard, the proposed extension is to be constructed away from the main settlement of Little Ellingham, reducing any visual impact. In addition, Kerry Foods have proposed a routing strategy for all employees and delivery drivers (HGVs), both in-bound and out-bound). In particular, employees at Kerry Foods receive regular training regarding routes to and from the premises, and of their conduct when leaving the premises. The County Highways Officer has also suggested a condition addressing the need for a routing agreement.

3.4 Environmental role - as part of the planned extension Kerry Foods are intending to use the latest technology, which will improve environmental standards (e.g. reduced noise and odour) as well as being more efficient. Though production at the site will increase, there is a minimal increase in the number of in-bound HGV movements, but no increase in the number of out-bound HGV movements. It is also understood that many of the employees at the site are car dependant when travelling to and from work. However, a number of the employees car share thus reducing the number of vehicles on the road. In addition, the ecology report submitted as part of the application identified no negative impacts associated with the proposal from any ecological receptor.

3.5 Accordingly, the proposal responds favourably to the sustainable development objectives as set out within the NPPF.

4.0 Design, Scale, Materials and Visual Impact.

4.1 Concerns have been raised locally and by the Parish Council including the Local Member

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that the site has become too big for the area and the additional extensions would cause further detriment to the visual amenities of the area.

4.2 Given the industrial setting of the site the proposed extensions are acceptable in terms of their nature, design and scale and would be constructed predominantly using materials that match the existing factory building. The height of the proposed extension would not adversely affect local amenity and is generally consistent with the scale of the existing factory building. The design of the loading bays and factory extension are typical of the type of commercial premises to be found elsewhere in the district.

4.3 In addition, the proposed extension, though large in scale, would be constructed to the east of the site, oriented away from residential properties to the west in Little Ellingham. The current facility is well screened by native trees and hedging. Planning conditions will be used to retain trees and hedges, and where this is not possible replacement trees or hedges will be required to mitigate the visual impact.

4.4 As such, it is considered the scheme would not have a significant impact on the visual amenities of the area, or be significantly visible in the wider landscape, and would accord with Policies CP3, DC7, DC12, and DC16 of the Breckland Core Strategy.

5.0 Impact upon Residential Amenity (odour, noise and operating hours)

5.1 Local residents and Parish Councils have raised concerns that the site already generates an unacceptable level of noise and pollution, in particular cooking smells resulting from the on site activities, and consider that any combination of these matters coupled with an increase in operating hours may be detrimental to local amenity. The issues of odour, noise and changes in operating hours are discussed as follows.

5.2 Odour - As mentioned above, local residents have raised concerns over the level of odour, specifically cooking smells, coming from the premises, which may be exacerbated by the factory extension. The applicant has provided details of how odour can be controlled as part of the application. These details have been assessed by the Council's Environmental Health Officer (EHO), which has raised no objections in respect of the proposal and of the information submitted. However, the EHO has requested that an odour management plan is submitted to the Council for approval to ensure that any odour emanating from the premises is appropriately controlled. The required odour management plan will be subject to a planning condition.

5.3 Noise - Local residents have also referred to the levels of noise coming from the premises which they consider to be unacceptable. As such, the applicant has carried out a noise assessment report (dated September 2015), which has also been assessed by the Environmental Health Officer. The EHO has raised no objections in respect of the information submitted, though has suggested suitable planning conditions restricting noise levels from the development.

5.4 Lighting - Concerns have also been raised locally regarding possible increase in lighting from the proposed extension, which may appear unnatural in a rural setting and may disturb local wildlife. Though whilst no lighting details have been submitted as part of the application conditions will be imposed of any planning permission requiring prior approval of the installation of any lighting. In addition, no concerns had been raised of impacts of lighting through the ecology report.

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5.5 Other matters - The EHO has also suggested a planning condition requiring the submission of a pest control scheme be submitted and agreed by the Council.

5.6 Accordingly, it is considered that the residential amenities of nearby properties would not be significantly affected by the proposal, and as such the scheme would accord with Policy DC1 of the Breckland Core Strategy.

6.0 Highway Safety

6.1 Concerns have been raised locally that the proposed extensions would increase traffic by those using the site and increase problems associated with highway safety within Little Ellingham and neighbouring roads, not only with HGV movements but also members of staff associated with the premises.

6.2 A new access is to be created to the east, a short distance from the existing access, on Attleborough Road. The new access will be created in order for in-bound and out-bound HGVs to access the proposed loading bays. The new access will be a swept access allowing HGVs to turn into the site without having to run up the adjacent verge. The existing access and gateway from Attleborough Road will be closed off. The new access will be designed so that any out-bound HGVs are directed east along Attleborough Road towards Hingham Road.

6.3 In order to ensure that HGVs adhere to the new access arrangements, a condition will be imposed requiring the applicant to submit a routing agreement. In addition to this, new highway signage will be required as part of any approval directing HGVs and other users to the site, so as to negate vehicles driving through Little Ellingham or neighbouring villages.

6.4 In respect of additional works to Attleborough Road, additional passing bays will be required between the site and the Hingham Road. Such works will be subject to a Section 278 Agreement.

6.5 The site already generates vehicular movements through HGVs, and other forms of traffic associated with the type of business. According to information provided by the applicant the proposed extension will not generate any additional traffic movements.

6.6 Kerry Foods currently do not utilise the full out-bound loads from the site. Currently all products are transported on single deck HGVs which carry 26 pallets at a 2m fill. As part of the expansion they intend building two 'Double Deck' loading bays given that double deck HGVs have capacity for 44 pallets but at a 1.6m fill. Not all outgoing products can be transported by double deck HGV currently as the end users depot has to be set up for a 1.6m fill and not all customers are. The increased use of 'Double Deck' HGVs and ensuring single deck HGVs are leaving fully laden will result in a nil increase in out-bound vehicle movements. It should be noted that 'double deck' HGVs does not necessarily mean bigger vehicles using the site.

6.7 For incoming vehicles, information provided identifies that 177 HGVs visit the factory on a weekly basis but that none of these travel full. Post expansion of the site shows that the same deliveries will be made but more products will be carried. Three deliveries will require an extra vehicle each and therefore a total increase of 1.83% will occur. This increase is considered negligible.

6.8 Additional staff car and cycle parking is also proposed as part of the proposal. The 'off-site'

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staff car and cycle park is located directly north of the site existing premises, and north of Attleborough Road. The existing car park accommodates around 160 car parking spaces with an additional 20 car parking spaces proposed. In addition to this, the provision of cycle parking will increase from 6 cycle spaces to 30 cycle spaces. The number of car and cycle parking spaces proposed meets the parking standards set out in Appendix D of the Breckland Core Strategy.

6.9 As mentioned within paragraphs 6.6 and 6.7, there is a minimal increase in the number of HGV movements relating to the proposed extension of the factory, with the County Highways Authority raising no objection to the proposal subject to the imposition of planning conditions. As such, it is considered that the scheme would adequately protect highway safety and accord with Policy DC19 of the Breckland Core Strategy.

7.0 Ecology

7.1 An ecology report was submitted in support of the application, and has been assessed by the ecologist. It was found that no further protected species surveys are recommended, but that the existing Leyland cypress hedgerow be retained as far as is reasonably practical. The ecologist agreed with the report's assessment and the recommendations contained therein. Accordingly, it is considered that the significant pre-mitigation impacts were not identified and as such the scheme accords with the Policy CP10 of the Breckland Core Strategy.

8.0 Other matters

8.1 A Grade II listed building is present on the site (Rookery Farmhouse) and whilst it would be preferable for this to be brought back into use, this does not form part of the current application being considered. The Historic Buildings Consultant has therefore raised no objection to the scheme as proposed, but has raised concerns over the current state and preservation of the listed building. Whilst the applicant is not intending to use the building in the near future, they will look at preserving it, insofar as making it structurally safe. Such works would be subject to a separate consent.

9.0 Conclusion

9.1 The proposed factory will be sited within an existing well established business premises on the outskirts of Little Ellingham. Kerry Foods employs around 300 employees and would look to employ a further 26 new staff post development. The increase in HGV movements as a result of the proposed extension will be minimal, with suitable highway mitigation in respect of the new access, routing agreement and additional passing bays along Attleborough Road. The proposed extension will have minimal impact upon residential amenity given that the development is located away from the main settlement of Little Ellingham, as well as the use of suitably worded conditions requiring additional landscaping, noise, odour and lighting schemes to be submitted and approved.

9.2 Taking all matters into consideration it is concluded that the harm likely to be caused by the proposal would not be such that it would significantly and demonstrably outweigh the benefits of the development. It is therefore recommended that permission be granted subject to conditions.

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RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3524** Noise level restriction
- 3526** Noise level restriction
- 3547** Lighting Pollution
- 3536** Hours restriction
- 3944** Contaminated Land - Desk Study/Site Investigation
- 3712** Access and car park laid out prior to use
- 3716** Set back gates and splays
- 3750** Routing Agreement
- 3760** Construction Traffic Management Plan
- 3802** Precise details of surface water disposal
- 3920** Pest Control Scheme
- 3048** In accordance with submitted
- 3110** External materials to match existing
- 3402** Boundary screening to be agreed
- 3408** Landscaping - details and implementation
- 3508** No external storage
- 3548** Full details of external lighting
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans
- 3518** Noise level restriction
- 2014** Criterion E - Planning Apps Where Approved
- 2000** NOTE: Application Approved Without Amendment

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ITEM	7	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0698/O	CASE OFFICER: James Platt
LOCATION:	ATTLEBOROUGH Land off Deopham Road	APPN TYPE: Outline POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr S Gray C/O Agent	
AGENT:	PlanSurv Ltd 112 Lancaster Way Ely	
PROPOSAL:	Erection of a single dwelling, carport, garden and associated works	

KEY ISSUES

Sustainable development
Amenity impact
Highway safety
Potentially contaminated land

DESCRIPTION OF DEVELOPMENT

Outline planning permission (with appearance, landscaping, layout and scale being reserved matters) is sought for a two storey dwelling and detached carport on land located on the western side of Deopham Road, Attleborough. Vehicle access is proposed via the existing access at the southeastern corner of the site.

SITE AND LOCATION

The application site (0.14ha in size) is used for the storage of scrap materials consisting of scrap metal, brick rubble, scrap vehicles and road planings. The adjacent southern property forms part of the applicant's landholding and is also used for storage of scrap material. The land directly opposite the site comprises open countryside. Land to the north is in agricultural use with fields obscured from street view by hedgerows and woodland. Deopham Road is a two lane local road. The Attleborough Settlement Boundary is located south of the site, adjacent to the adjoining southern property.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

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3PL/2012/1204/O - house and garage refused December 2012.

3PL/2013/0969/EU Storage of scrap machinery, vehicles including lorries, tractor and trailers etc - Certificate of Lawfulness refused December 2013.

3PL/2014/1117/EU Storage of road planings and scrap metal and vehicles as well as small domestic garden use - Certificate of Lawfulness issued January 2015.

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.13	Accessibility
DC.01	Protection of Amenity
DC.16	Design
NPPF	With particular regard to paras 7, 14 and 55
NPPG	National Planning Practice Guidance
NP	Neighbourhood Plan

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 affordable housing (on or off site), open space, connection to utility services (as required by legislation), habitat protection/mitigation, transport improvements and archaeology.

The site measures less than 0.17ha in area and is not capable of accommodating five or more dwellings and therefore Policy DC04 (Affordable Housing) does not apply.

In respect to Policy DC11 (Open Space), no local open space projects are identified and therefore no open space monetary contribution is sought.

Owing to the scale, nature and location of the proposed development no other types of contributions are sought.

CONSULTATIONS

ATTLEBOROUGH TC -

No comments

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to standard conditions.

CONTAMINATED LAND OFFICER

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Recommend a desk study as per DEFRA/Environment Agencys Model Procedures for the Management of Land Contamination (CLR11).

HISTORIC ENVIRONMENT SERVICE

Based on currently available information the proposal does not have any implications for the historic environment and we would not make any recommendations for archaeological work.

PRINCIPAL PLANNER MINERAL & WASTE POLICY - No Comments Received

REPRESENTATIONS

No responses received.

ASSESSMENT NOTES

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

2.0 Sustainable development

2.1 The application site lies outside of any defined Settlement Boundary. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. The site is within very convenient access of the full range of amenities available in the service centre of Attleborough. The site is therefore in a sustainable location.

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2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, whilst this is an outline application, the site is within the applicant's ownership and available now, making the development deliverable within 5 years to meet the housing shortfall. Time limits can be reduced, in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme. The economic dimension to sustainable development will be adequately realised.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. The plot is a brownfield site that is relatively contained in a visual sense, with heavily vegetated side and rear boundaries. Development at this location would not appear isolated in light of the site's visual enclosure and the proximity to existing residential development (detached dwellings) south of the site on Deopham Road. The proposal would reinforce the linear development of this stretch of Deopham Road.

2.8 Visual amenity at this location is generally unremarkable owing to the current ad hoc scrap storage arrangements on the site. A conventional dwelling development would provide a substantially tidier visual outcome than the existing scrap storage arrangement, responding positively to Policy DC16.

2.9 The site is large enough to accommodate a dwelling and detached carport whilst providing adequate amenity space for future residents as well as associated car parking, driveway and landscaping. The plot is sufficiently proportioned to ensure the introduction of a dwelling at this location could be undertaken in a manner that responds favourably to Core Strategy Policy DC16.

2.10 The above observations suggest the proposal strongly accords with the environmental dimension of sustainable development.

3.0 Amenity Impact

3.1 Impact on amenity is a reserved matter which would be considered at the detailed planning stage should outline planning permission be granted. However, it is considered that the indicative site plan satisfactorily demonstrates that a dwelling, private open space and associated car parking can be accommodated without giving rise to significant overlooking, overshadowing, visual bulk or loss of light to neighbouring residents. There is sufficient scope to site and treat windows in a manner that would satisfactorily mitigate any undue overlooking impact if deemed necessary at the reserved matters stage.

3.2 The proposal will replace the existing scrap storage use with a dwelling, an enhanced amenity outcome. Whilst the site is located next to part of the scrap storage use that is to be retained, the noise generated from the site would not impact residents of the subject development any more than it does current residents whose properties are located closer to the scrap storage facility. Reverse sensitivity is therefore not considered a concern of such significance that it warrants either refusal of the application or the imposition of conditions. The proposal satisfies

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Policy DC1 in respect to amenity outcomes.

4.0 Highway safety

4.1 The Highway Authority raises no objection subject to standard planning conditions being imposed regarding visibility splays, access details etc. The application complies with Policy CP4. Removal of part of the laurel hedge along the site's frontage will be required to achieve the required visibility splay. Loss of part of the hedge will not result in an unacceptable character outcome and can, in any event, be mitigated by replacement landscape planting. Landscape planting is most appropriately managed at the reserved matters stage.

5.0 Potentially Contaminated Land

5.1 The applicant has submitted, in support of the application, a contaminated land report given the previous use of the site for scrap storage. The report has been referred to the Contaminated Land Officer and a consultee response is awaited.

6.0 Other Material Considerations

6.1 An outline application for a dwelling was refused on the site in 2012 on the grounds that it did not comply with the NPPF with respect to paragraph 55 (isolated development in the countryside). Since this time the land has been confirmed as being a brownfield site by virtue of the issue of a Certificate of Lawfulness for scrap storage. One of the core planning principles of the NPPF (paragraph 17) is to encourage the effective reuse of brownfield land provided it is not of high environmental value. The site is of low environmental value. The reuse of the brownfield site for residential purposes furthers a core planning principle of the NPPF. These factors weigh heavily in favour of the proposal, matters that did not form part of the balanced judgement undertaken at the time of the 2012 refusal. It is for this reason that officers have formed a different view on the proposal to the position taken in 2012.

6.2 A Neighbourhood Plan is currently being prepared for Attleborough and therefore is a material consideration. However it remains only at a very early stage in its process of evolution. The Plan has not advanced to formal public consultation and therefore carries with it extremely limited statutory weight.

7.0 Conclusion

7.1 The proposal would conflict with Policy CP14 due to its location outside a defined settlement boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. The Attleborough Neighbourhood Plan is not at a stage that it can be afforded any formal statutory weight and therefore has little if any bearing on this application. The plot is a brownfield site that is well served by local amenities in nearby Attleborough. The development supports growth and the local economy albeit in a modest manner. The proposal will replace the existing scrap storage use with a dwelling, a significantly improved visual, environmental and amenity outcome. The proposal will result in an acceptable character response given the established linear pattern of development nearby. The proposal therefore

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responds positively to the social, economic and environmental dimensions of sustainable development. Highway safety impacts are not unacceptable. The proposal constitutes sustainable development and therefore the balance of consideration lies in support of the application. The application is recommended for approval subject to conditions.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3005** Outline Time Limit (reduced time limit)
- 3058** Standard Outline Condition
- 3944** Contaminated Land - Desk Study/Site Investigation
- HA05** Standard outline highways condition
- HA20** Provision of visibility splays - conditioned
- 2014** Criterion E - Planning Apps Where Approved
- 3996** Note - Discharge of Conditions
- 4000** Variation of approved plans
- 2000** NOTE: Application Approved Without Amendment

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ITEM	8	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0775/F	CASE OFFICER: James Platt
LOCATION:	BANHAM Hill Farm Heath Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: Y TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs Burrows Hill Farm Heath Road	
AGENT:	Peter Codling Architects 7 The Old Church St Matthews Road	
PROPOSAL:	Erection of dwelling and detached garage	

KEY ISSUES

Sustainable development
Banham Conservation Area
Amenity impact
Highway safety
Ecology

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for a single storey dwelling and detached double garage. The two bedroom dwelling is of traditional form and profile and is to be finished in face brickwork with a Norfolk pantile clad roof. An existing agricultural building of very modest scale is to be demolished to facilitate the development.

The existing access at the southeastern corner of the site will be utilised for vehicle access. Existing hedges to the southern and eastern boundaries of the site are to be retained. No trees are proposed to be removed.

SITE AND LOCATION

The application site comprises the eastern rear/side garden of Hill Farm. The site, measuring 775sqm in area, is located on the northeastern periphery of the village of Banham. The Banham Settlement Boundary is located west of the site. The site is located in the Banham Conservation Area. The site is bounded on both its western and eastern sides by two storey dwellings. Land to the north and south (on the opposite side of Heath Road) comprises open countryside.

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EIA REQUIRED

No.

RELEVANT SITE HISTORY

None relevant.

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.04	Infrastructure
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.16	Design
NP	Neighbourhood Plan - None applicable
NPPF	With particular regard to paras 7, 14 and 55
NPPG	National Planning Practice Guidance

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 affordable housing (on or off site), open space, connection to utility services (as required by legislation), habitat protection/ mitigation, transport improvements and archaeology.

The site measures less than 0.17ha in area and is not capable of accommodating five or more dwellings and therefore Policy DC4 (Affordable Housing) does not apply.

In respect to Policy DC11 (Open Space), no local open space projects are identified and therefore no open space monetary contribution is sought.

Owing to the scale, nature and location of the proposed development no other types of contributions are sought.

CONSULTATIONS

BANHAM P C -

Recommended for approval.

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HISTORIC BUILDINGS CONSULTANT

No objection.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to condition.

CONTAMINATED LAND OFFICER

No objection subject to condition.

REPRESENTATIONS

No responses received.

ASSESSMENT NOTES

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

2.0 Sustainable development

2.1 The application site lies outside of any defined Settlement Boundary. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Amenities in Banham include, but are not limited to, a primary school, church, post office and community centre. The

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site is within convenient access of the village amenities. Moreover, Banham is well served by public transport with multiple local bus services operating at various times of the week, providing access to neighbouring settlements. These accessibility considerations weigh in favour of the proposal.

2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, the site is within the applicant's ownership and available now, making the development deliverable within 5 years to meet the housing shortfall. Time limits can be reduced, in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme. The economic dimension to sustainable development will be adequately realised.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development. The proposal is essentially an infill development of a side/rear garden and as such will not present as an isolated dwelling in the countryside. The proposed development is bounded by dwellings on both sides and will reinforce the existing linear pattern of development along the northern side of this section of Heath Road.

3.0 Character and Appearance of the Banham Conservation Area

3.1 The scale and proportions of the dwelling and detached garage are modest. The profile, form and materials are all traditional and in keeping with the area. The generous proportions of the proposed front garden are consistent with neighbouring front gardens and provides ample scope for landscaping and vehicle turning area. Retention of existing hedging at the street frontage and eastern side boundary limits the development's visual impost on the streetscene. The utilisation of the existing access arrangement limits the development's streetscene impact. For these reasons the development is considered to respond favourably to the character and appearance of the Banham Conservation Area, in accordance with Core Strategy Policy DC17 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal also complies with Core Strategy Policy DC16.

3.2 For the above reasons the proposal furthers the environmental dimension of sustainable development.

3.0 Amenity Impact

3.1 Owing to the separation distances to neighbouring dwellings and the modest scale of development, the proposal adequately safeguards the amenity of neighbouring residents. The proposal will not give rise to unacceptable amenity impacts in respect to overlooking, overshadowing, visual bulk or loss of light to adjacent dwellings. For these reasons the proposal responds favourably to Core Strategy Policy DC01.

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4.0 Highway safety

4.1 The Highway Authority raises no objection subject to standard planning conditions relating to access location, no access obstruction and provision of parking/turning areas. The proposal raises no adverse highway safety issues, consistent with Policy CP4.

5.0 Ecology

5.1 The domestic nature of the garden plot, the general absence of vegetation and the fact no trees/shrubs etc are proposed to be removed indicates that ecological impacts will likely be negligible.

6.0 Other Considerations

6.1 As noted by the Contaminated Land Officer, the roof of the small building to be removed may contain asbestos. A note is recommended for inclusion on the permission advising the applicant to contact Council's Environmental Health Section prior to removing the structure.

7.0 Conclusion

7.1 The proposal would conflict with Policy CP14 due to its location outside a defined settlement boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. The site is sufficiently served by accessible local amenities, furthering the social dimension of sustainable development. The development supports growth and the local economy albeit in a modest manner. The proposal will result in an acceptable character response owing to the modest scale of development and residential context of the northern side of Heath Road, consistent with the environmental dimension of sustainable development. The proposal is respectful of the Banham Conservation Area. Highway safety and ecology impacts are not unacceptable. The proposal constitutes sustainable development. The balance of consideration therefore lies in support of the application and it is recommended for approval subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (2 years)
- 3047** In accordance with submitted
- 3140** Prior approval of slab level
- 3304** No P.D. rights for extensions, sheds, etc
- 3106** External materials and samples to be approved
- 3944** Contaminated Land - Desk Study/Site Investigation
- HA24** Provision of parking and servicing - when shown on plan

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- HA08** New access - construction over verge
- HA13** Access gates - configuration
- HA19** Provision of visibility splay on approved plan
- 3408** Landscaping - details and implementation
- 3737** Inf 2
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2014** Criterion E - Planning Apps Where Approved
- 3539** Note Re Asbestos
- 3972** NOTE: Bats and Owls

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ITEM	9	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0783/F	CASE OFFICER: Jemima Dean
LOCATION:	NORTH ELMHAM Land adjacent Caberfeidh Pump Street	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: Y TPO: N LB GRADE: N
APPLICANT:	Mr P Howell c/o Agent	
AGENT:	Mr Jason Barber Arkitech House 35 Whiffler Road	
PROPOSAL:	Construction of 4 dwellings with garaging	

KEY ISSUES

Sustainable development
Impact on the landscape character and appearance of the area
Impact on conservation area
Access and highway impact
Impact on amenity
Planning contributions
Archaeology

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for residential development on greenfield land to the west of Pump Street, North Elmham.

The following documents were submitted with the application:

- * Design and Access Statement
- * Planning Statement
- * Arboricultural Impact Assessment
- * Phase 1 Survey and Ecological Appraisal
- * Heritage Impact Assessment
- * Desk Study and Risk Assessment

The application proposes four detached dwellings with associated garaging, car parking and access. The scheme involves three two storey four bedroom dwellings each with a detached double garage, and a single storey three bedroom dwelling with an integral garage.

The proposal includes the use of red and buff facing brickwork, red and anthracite coloured

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plintiles and pantiles. Flint, boarded and rendered wall finish, cream finished fascias and barge boards, black UPVC guttering and downpipes. Full details of materials would be required by condition.

The two storey dwellings would be located to the north of the application site with the bungalow to the south. All dwellings would face toward Pump Street, sited in a row set back from the highway by approximately 15 metres. A single access would serve all four properties directly via Pump Street.

SITE AND LOCATION

The site extends to approximately 0.45 hectares and comprises a broadly rectangular parcel of land located immediately adjacent to the northern edge of the Settlement Boundary of North Elmham. The whole of the site falls within the conservation area.

The site is adjoined to the north and east by agricultural fields and to the west by the footpath along Pump Street. Established hedgerows and trees form the northern, western and southern boundaries of the site, with the eastern boundary comprising established lower level native hedgerow.

To the south of the site is a row of six dwellings which includes two detached bungalow immediately to the south followed by a terrace of four two storey dwellings, all with access directly via Pump Street. The footpath along Pump Street extends the full length of the western boundary of the site leading through the High Street to the centre of the village.

The application site currently comprises agricultural land which has a fall to the north east. It sits at a higher level than Pump Street with a bank leading to the footpath. Pump Street itself also falls to the north. Other than residential surrounding land use is largely agricultural.

EIA REQUIRED

No

RELEVANT SITE HISTORY

An application for six dwellings under planning reference 3PL/2015/0220/F was withdrawn.

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

SS1 Spatial Strategy
CP.01 Housing

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CP.04	Infrastructure
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.04	Affordable Housing Principles
DC.11	Open Space
DC.12	Trees and Landscape
DC.14	Energy Efficiency
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
NP	Neighbourhood Plan - None applicable
NPPF	With particular regard to paragraphs 14, 47 and 49
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

A commuted sum has been agreed in respect of an affordable housing.

A draft S106 Agreement is being prepared and has been agreed with the applicant in order to secure the above requirement.

CONSULTATIONS

NORTH ELMHAM P C -

The members of the Parish Council are opposed to this application. It is outside the settlement boundary and the proposal involves ribbon development. There is no further housing beyond this point.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

No objection subject to conditions.

HISTORIC BUILDINGS CONSULTANT

No objection.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The mitigation measures in Section 4 and 5 should be secured via appropriate conditions. It is also recommended that bat and bird boxes are installed on suitable retained trees and new buildings on site.

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TREE AND COUNTRYSIDE CONSULTANT

No objection subject to conditions.

NATURAL ENGLAND

No objection or comments.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

No objection. Comments relating to design.

HISTORIC ENVIRONMENT SERVICE

No objection.

R S P B - No Comments Received

REPRESENTATIONS

One representation has been received in support of the application.

ASSESSMENT NOTES

1.0 This application is referred to the Planning Committee as it is contrary to the development plan.

2.0 Sustainable Development

2.1 For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Practice Guidance.

2.2 The site is located outside the Settlement Boundary in an area of open countryside (as defined by policies SS1, DC2, CP1, and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009), where development is heavily restricted. The application is clearly contrary to these policies. Furthermore, the site is not being put forward for 100% affordable housing under the rural exceptions policy DC5. The proposal should therefore be refused unless there are material considerations that dictate otherwise. The lack of a 5-year housing supply within Breckland district carries significant weight in the consideration of the application.

2.3 Paragraphs 47 and 49 of the National Planning Policy Framework (NPPF) state that where an authority does not have an up to date five year housing land supply (at present the District figure is 3.72 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the

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context of the presumption in favour of sustainable development.

2.4 The Government defines sustainable development as having three dimensions. These dimensions give rise to the need for the planning system to perform a number of roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services, and;
- environmental, through the protection and enhancement of the natural, built and historic environment.

2.5 Paragraph 8 of the NPPF stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three dimensions is required.

2.6 In terms of economic and social sustainability, North Elmham is identified as a Service Centre and contains adequate services and facilities to meet the day to day requirements of existing residents. North Elmham contains a number of services and facilities including a: post office; car body shop; doctors surgery; residential care home; garage; visitor centre; hotel; two public houses; church; primary school; children's nursery; fish and chip shop; cricket club; and recreation areas.

2.7 Dereham is approximately 6 miles to the west of the application site. In terms of public transport North Elmham is served by a regular bus service that runs six days a week (the number 21 - Fakenham - North Elmham - Beetley - Gressenhall). The site is approximately 0.5 miles, by footpath, of the nearest bus stops. The bus service linking the site to Dereham's local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations weigh in favour of the proposal.

2.8 Paragraph 55 of the NPPF states housing should be located where it will enhance and maintain the vitality of existing rural communities and help sustain facilities in the surrounding settlements. The site is on a public transport route with bus stops in close proximity to Pump Street. The NPPF states that local planning authorities should avoid new isolated homes in the countryside. The proposed dwellings would form part of the existing settlement and would not be isolated when considered in this context.

2.9 Paragraph 47 of the NPPF requires new sites for housing development to be deliverable, which is defined as being available now, suitable in terms of location, and be achievable in respect of housing being developed on the site within the next five years. Although there are no known barriers affecting the site, as no financial viability appraisal has been submitted with the application, there is some degree of uncertainty as to the viability of a fully policy compliant scheme, and this counts against the proposal. To ensure the deliverability of the development a planning condition would require a reduced permission time period.

3.0 Impact on the Landscape Character and Appearance of the Area

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3.1 Policy CP11 of the Core Strategy seeks to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character. Development within the District is also expected to be of the highest design quality in terms of both architecture and landscape. It should have regard to good practice in urban design and fully consider the context within which it sits. It should embrace opportunities to enhance the character and appearance of an area and contribute to creating a sense of local distinctiveness.

3.2 The proposal would represent a significant change in the nature and appearance of the land to which the application relates, and the assessment to be made is whether the impact on the land would be significantly harmful to the local area. The site is however closely related in a visual sense to the village as it abuts the edge of existing development.

3.3 The Breckland Landscape Character Assessment (2007) indicates that the site is located largely within an area known as the 'Settled Tributary Farmland' which represents a large area of boulder clay drift deposits which have resulted in a gently undulating arable farmland landscape interspersed with tributaries. Development considerations are to conserve the existing small scale rural road pattern, resisting upgrade/calming measures which could have an urbanising influence. In terms of new buildings new development should reflect the existing material and stylistic vernacular within the settlements. Full details of materials of the proposed development would be secured by planning condition to ensure this requirement is met. In terms of development and boundary treatments to the settlement edges should be monitored, resisting any materials and/or species which could have an urbanising influence on the landscape. A landscaping strategy would be secured by planning condition to ensure appropriate boundary treatment and species.

3.4 One of the core planning principles in the NPPF is that planning should 'take account of the different role and character of different areas, and this includes recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it' (paragraph 17).

3.5 The application site and the immediate landscape surrounding it is undulating with views across agricultural land toward the site from the north particularly whilst travelling along Broom Green Road to the north of the site. Whilst the northern boundary of the site comprises some taller trees, the stretches of native hedgerow along this boundary provide limited screening in this direction, particularly in winter months. As part of the proposal native field maple and wild cherry trees would be planting to increase screening of the development from the south. This would need to be carefully considered in a submitted landscaping strategy. To the south of the site additional planting in the form of a native yew hedgerow would be planted to provide additional screening of the site from the south whilst travelling along Pump Street. The dwelling directly to the south of the site comprises a single storey detached bungalow to provide minimal impact on the existing bungalow beyond the southern boundary.

3.6 In terms of layout the proposed four dwellings would form a logical extension to the existing row of housing to the south, with dwellings on similar plot sizes to the bungalows. The proposed single access would ensure the existing landscaping along Pump Street is maintained as far as possible, and in this respect the rural character of the area would be somewhat preserved. The visibility splay required would not lead to the removal of a significant amount of hedgerow and in this regard the rural character of the area is respected.

3.7 The proposed density of development, of 4 dwellings (10 dph) would be similar to that of the two dwellings immediately to the south of the application site. The site has the potential to

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satisfactorily accommodate this level of residential development without detriment to the character and appearance of the area.

4.0 Impact on Conservation Area

4.1 The site is located within the North Elmham Conservation Area. Development within the District is expected to preserve and enhance the character and appearance of conservation areas in accordance with Policy DC17 of the Core Strategy.

4.2 Existing established landscaping is largely retained and existing native planting provided in some location to further screen the application from views along Pump Street and Boom Green Road. In a visual sense the rural character of the surrounding area is not harmed. The design of the dwellings is high quality and the proposed layout is appropriate in this location.

4.3 The Historic Buildings Consultant considers the proposed development would not lead to either harm or loss of significance of the applicable designated heritage assets and raises no objection to the proposal.

4.4 The proposed residential development would preserve the character and appearance of the North Elmham Conservation Area, in accordance with Policy DC17 of the Core Strategy, the NPPF and sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.0 Access and Highway Impact

5.1 The application proposes a single access directly via Pump Street. In response to a request from the Highway Authority the applicant has submitted further details which include proposed measures to prevent the discharge of surface water and debris from the access into the highway.

5.2 The Highway Authority is satisfied the proposal is acceptable and would have no objection in highways terms to the proposed development. Conditions and informatives as recommended by the Highway Authority would be attached to the planning permission.

6.0 Impact on Amenity

6.1 The direct impact on the amenity of local residents is limited to the southern boundary of the site where the proposed bungalow plot would adjoin existing residential development. The bungalow would be located over seven metres from the application site boundary. The property on the southern boundary is limited to single storey and located approximately seven metres from boundary. The landscaping strategy would also include additional buffer planting along the northern and southern boundaries of the site.

7.0 Planning contributions

7.1 The applicants have advised that they will comply with the affordable housing policy requirement and provide a financial contribution in lieu of on site provision. Whilst this may be the case and there are no foreseen difficulties that would prohibit the delivery of this obligation

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there is no assurance that these obligations will be met.

7.2 Viability is part informed by the land value which the landowner is prepared to accept to bring the scheme forward. In this case the applicant is fully aware of the requirement to provide an affordable housing contribution and if planning permission is granted then any subsequent purchaser will be fully aware of that requirement and it will no doubt inform the value of the site. The Council would usually require a viability appraisal. The applicant has not provided this information.

7.3 The requirement would need to be addressed in order to make the development acceptable in sustainable terms. The means of securing the contribution would be through a S106 Agreement. The Council's solicitors have been instructed on this matter.

8.0 Archaeology

8.1 The proposed development site is situated in an area of high archaeological potential. To the south are the ruins of an early 12th century chapel erected by Bishop Herbert de Losinga to serve his manor. It stands on the site of a pre-conquest timber cathedral and cemetery. The chapel was incorporated into a fortified manor by Bishop Hugh Despenser in 1388, with a moat, curtain wall and inner and outer bailey earthworks, and the remains of the two phases of building are intermingled.

8.2 Numerous artefacts have been recovered from the immediate vicinity of the proposed development dating from the prehistoric through to the post medieval period. An assemblage of distinctive Anglo Saxon artefacts may indicate the presence of a nearby cemetery. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains including human remains) will be present at the site and that their significance will be affected by the proposed development.

8.3 An archaeological evaluation was undertaken in order to establish the archaeological significance of the site, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework.

8.4 The results of the evaluation indicate that although heritage assets survive on the site they are of limited significance. Consequently no further archaeological work on the site is required to be carried out.

9.0 Other Issues

9.1 The Council's Contaminated Land Officer raises no objection to the proposal subject to the imposition of recommended contamination conditions. Subject to these conditions it is considered that the scheme would accord with Policy CP9 of the Breckland Core Strategy.

9.2 In relation to ecology, no objection is raised by the Ecological and Biodiversity Consultant provided the requirements as set out in The Bat Report (A Report on Bat Activity Surveys Conducted at Pump St, Anglian Ecology, August 2015) are adhered to throughout the development.

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10.0 Conclusion

10.1 Given the current shortfall in the supply of housing land in the District, local planning policies which seek to prevent development outside settlement boundaries can be given little weight. In this situation, the NPPF states permission should be granted unless any adverse effects of so doing would significantly and demonstrably outweigh the benefits.

10.2 The proposal will not harm the amenity of existing residential development to the south to a detrimental level. In terms of its impact on the character and appearance of the area any harm caused would be mitigated by an appropriate landscaping strategy, the details of which would be secured by planning condition.

10.3 The proposal would make an important contribution to the supply of housing, a factor which must be given considerable weight given the thrust of national planning policy regarding housing provision. The development would also be appropriately designed and would not unacceptably impact on the local highway network.

10.4 Taking all matters into consideration it is concluded that the harm likely to be caused by the proposal would not be such that it would significantly and demonstrably outweigh the benefits of the development. In accordance with paragraph 14 of the NPPF, it is therefore recommended that permission is granted subject to conditions and to the completion of a section 106 agreement.

10.5 However, delegated authority is also requested to refuse the application if the legal formalities in respect of the Section 106 are not completed within three months of the date of this decision or that the Planning Manager has the authority to agree another more appropriate time scale for the completion of any such agreement.

RECOMMENDATION Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (2 years)
- 3047** In accordance with submitted
- MT03** External wall and roof materials to be agreed
- MT09** Flintwork Panel
- HA08** New access - construction over verge
- HA12** New access - gradient
- HA14** Access gates - restriction
- HA19** Provision of visibility splay on approved plan
- HA24** Provision of parking and servicing - when shown on plan
- HA30** Wheel washing facilities- temporary for construction vehicle
- A**
- HA30** Wheel washing facilities- temporary for construction vehicle
- B**
- 3408** Landscaping - details and implementation

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- 3920** Slab levels
- 3920** Contamination officer
- 3920** Tree protection
- 3920** Ecology recommendation
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- AN61** NOTE NCC Inf 2 When Vehicular access works required
- 2000** NOTE: Application Approved Without Amendment
- 3994** Contamination note
- 2014** Criterion E - Planning Apps Where Approved

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ITEM	10	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/0788/F	CASE OFFICER: Barbara Greengrass
LOCATION:	SPORLE Land off 'The Street'	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Tredwell Developments Ltd The Folly Low Road	
AGENT:	Mr Graham Craske Ferndale Croxton Road	
PROPOSAL:	Erection of single storey dwelling & detached garage	

KEY ISSUES

Sustainable development
Impact on the character and appearance of the area
Impact on residential amenity
Highway safety
Ecology
Contamination

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of a single storey dwelling and garage at land to the rear of 3 Down Mill Drive accessed off The Street between Numbers 19 and 23. The site also backs onto Bunkers Hill and the property will sit directly behind Number 4 Bunkers Hill.

SITE AND LOCATION

The proposed site formed part of the garden of the adjoining land which has now been redeveloped and situated on it was an open-air swimming pool and poolhouse, now filled in and demolished. The site is located outside of the defined Sporle Settlement Boundary. The surrounding area is characterised by residential development, with access gained to the proposed site via The Street. The site is bounded by residential development to the east and agricultural land to the north and west. To the south is Bunkers Hill road and residential development opposite on Newfields.

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EIA REQUIRED

No

RELEVANT SITE HISTORY

3PI/2014/1263/O - erection of single storey dwelling and garage - withdrawn

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.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.16	Design
NPPF	With particular regard to paras 7,14 and 55
NPPG	National Planning Practice Guidance
NP	Nighbourhood Plan - None applicable

CONSULTATIONS

SPORLE P C -

This will be a development outside the Development Boundary of our village (see Planning Statement in Support of the Full Planning Application for land off Bunkers Hill, Sporle page 2, paragraph 1.7). With the developer owning another parcel of land adjoining to the west of the site and even further outside the Development Boundary we have misgivings that if approval is granted a precedent will have been set for future applications at the same site or others within the village.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

Great Crested Newt (GCN)

An updated report has been submitted (Protected Species Survey (Including great crested newt surveys 2015), Finnemore Associates, May 2015).

No GCN were found, although other amphibians were recorded.

Bats and Birds

The two buildings have low probability of bat interest so no further surveys for bats are required

CONTAMINATED LAND OFFICER

No objection subject to contaminated land condition.

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NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT - No Comments Received

REPRESENTATIONS

Three letters of objection were received from neighbouring residents raising the following main issues:

- Presence of windows at first floor
- Distance from the site boundaries on the east
- Presence of contamination
- Disruption during building works and damage to the existing private drive
- Disposal of surface water should be by soakaway
- Limits on working times should be put on the building work
- The site is outside the settlement boundary
- The field to the west will no longer have access
- Land to the west is in the same ownership so will set a precedent for further development
- Siting and levels

ASSESSMENT NOTES

1.0 The application is referred to Planning Committee as a departure from the Development Plan.

2.0 Sustainable development

2.1 The application site lies outside of and adjacent to the defined Settlement Boundary of Sporle. The development of the site for housing would therefore conflict with Core Strategy Policy CP14, which seeks to focus new housing within defined settlement boundaries. However, as the Council cannot currently demonstrate a 5 year supply of housing land, Policy CP14 cannot be considered to be up-to-date insofar as it relates to the supply of housing land and can be given little weight.

2.2 In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

2.3 As per paragraph 7 of the NPPF, there are three dimensions to sustainable development: economic, social and environmental. The NPPF states that these roles should not be undertaken in isolation, because they are mutually dependent.

2.4 The NPPF indicates that rural housing should be located where it will enhance or maintain the vitality of rural communities and that isolated houses in the countryside should be avoided. Additionally, the Government's Planning Practice Guidance (NPPG) notes that all settlements can

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play a role in delivering sustainable development and that blanket policies restricting housing in some rural settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

2.5 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. Local services in Sporle include a Public House, shop, village hall, church and a school. The nearest town that offers services that has the potential to meet all everyday needs, including shopping, employment and education is in Swaffham, a mid-sized market town. Swaffham is located 2.5 miles to the west and the site connects with the town via a designated bus service route. This service connects Watton with Kings Lynn and operates hourly, although noting services from Sporle do not operate from 1:00pm onwards. In addition, services operate two hourly on a Saturday. The 'Flexibus' service operated by Norfolk County Council is an additional public transport option which offers a 'ring and ride' service that follows a route set by pre-booked requests and which can pick up and drop off at pre-determined locations. This service operates Monday to Friday 9am - 4.30pm only. The bus stop nearest to the site is located opposite the Three Ways Store, only 100m from the site. It is noted that The Street has a public footpath that connects the site not only to the bus stop but also to services in the village. The bus services linking the site to Swaffham's local amenities would provide an alternative to the car, consistent with the social and environmental dimensions to sustainable development. These considerations weigh in favour of the proposal.

2.6 The proposal would make a positive, albeit modest, contribution towards the provision of housing in the area, and its construction would provide some short term economic benefits. With regard to availability and deliverability, the site is available now, making the development deliverable within 5 years to meet the housing shortfall. It is appropriate that the time limits are reduced and this would be in accordance with other applications in Breckland approved under the five year supply. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the scheme. The above observations confirm the proposal supports the economic dimension to sustainable development. Again, these considerations weigh in favour of the proposal.

2.7 The environmental role of sustainable development seeks to, in part, contribute to protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development as is the design of the dwelling.

2.8 The plot abuts the Settlement Boundary of Sporle and is bounded by housing to the east and to the south although across the road on Bunkers Hill. The plot lies at the end of an existing private drive accessed off The Street serving three dwellings. It would, therefore, serve as a natural extension to this drive being a plot of land at the end which is undeveloped and was part of a former garden. A precedent would not be set as the land further to the west is agricultural land and there is a mature hedge which separates this land from the land beyond. The site reads very much as part of the residential area it abuts rather than making any contribution to the wider countryside beyond. It is enclosed to the south by dense planting and is at a raised level from Bunkers Hill such that the development will not be visible from the south. Neither will it be visible from The Street being at the end of a fairly long drive. It will not be prominent in the surrounding countryside such as to harm the character and appearance of the countryside as the site is very well contained. In light of this site-specific context, it is concluded that the development will not appear visually intrusive and would not result in an isolated development in the countryside.

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2.9 In terms of design, the applicant has revised the scheme to provide for a smaller dwelling with a lower roof height and mass. The materials specified are acceptable and in keeping with this edge of village location, being red clay pantiles and red bricks with black stained boarding features. The garage proposed has a rural character with an open front red clay pantiles and black timber weatherboarding.

2.10 It is concluded that this dwelling would not result in a cramped form of development having regard to the layout of neighbouring development and the built form character of this part of the village. The plot is sufficiently proportioned and the dwelling sited to ensure that it responds favourably to Core Strategy Policy DC16.

3.0 Impact on residential amenity

3.1 The scheme has been amended to overcome concerns about the impact of the proposed dwelling on residential amenity. The application site sits at a significantly higher level to the land adjoining and immediately to the east. It was felt this would have an adverse impact on the amenities of the occupiers of Number 4 Bunkers Hill not just in terms of bulk but also loss of privacy. The dwelling has been sited further from the eastern boundary and the height of the roof has been reduced and the ends hipped. These amendments have overcome the concerns in respect of the impact on that neighbour. In terms of the wider impact, objector concerns are noted in respect of noise and disturbance and the potential for damage to the private drive during construction. The former can be addressed by a planning condition restricting the operations on the site to normal working hours. However damage to the drive during construction is a civil matter that the applicant will need to resolve with the other residents who use the driveway as there will be issues to resolve over long term maintenance. The proposal responds favourably to Core Strategy Policy DC01.

4.0 Highway Safety and Access

4.1 The Highway Authority raises no objection subject to a planning conditions being imposed to ensure provision of the proposed parking and turning area.

5.0 Ecology

5.1 The Ecology Consultant is satisfied with the ecology report submitted with the application but advises that prior to filling in of pond 2 that a suitably qualified ecologist is present when the pond is drained to remove any remaining frogs and newts and that a new pond be created to compensate for the loss of habitat. The applicant has confirmed that an ecologist was present and the pond was filled in in accordance with the Ecology Consultants recommendations. The applicant's ecology report suggests that one bat box and one swift box be provided. The applicant has shown their provision on the plans to be situated on the garage.

6.0 Contamination

6.1 The Contaminated Land Officer is aware that fuel tanks were present on the site and they wish to have the ground beneath tested for any leakages. A condition is therefore recommended

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to ensure that the soil meets the required residential standard.

7.0 Conclusion

7.1 The proposal would conflict with Policy CP14 due to its location outside a defined Settlement Boundary. However this policy can be afforded little weight due to the present shortfall of housing land in the District. In social and environmental terms Sporle has accessible local services which are supplemented by a good range of local services accessible by public transport within 2.5 miles of the site at Swaffham, a mid-sized market town. In economic terms the development supports growth and the local economy albeit in a modest manner. The proposal constitutes a development that will result in an acceptable character response having regard to the form and character of the surrounding area and the impact of the wider countryside, consistent with the environmental dimension of sustainable development. The balance of consideration therefore lies in support of the application and it is recommended for approval subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3006** Full Permission Time Limit (2 years)
- 3046** In accordance with submitted
- 3100** Wall materials
- 3534** Hours restriction and no Sunday working
- 3802** Precise details of surface water disposal
- 3945** Land contamination condition
- HA24** Provision of parking and servicing - when shown on plan
- 2014** Criterion E - Planning Apps Where Approved
- 2001** Application Approved Following Revisions