

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/0860/F	CASE OFFICER	Fiona Hunter
LOCATION:	SWAFFHAM Rlmh Development Turbine Way, Swaffham	APPNTYPE:	Full
APPLICANT:	RLMH Ltd C/O Medusa Design	POLICY:	In Settlemnt Bndry
AGENT:	Medusa Design Unit 4 Stour Valley Business Centre	ALLOCATION:	N
PROPOSAL:	Resubmission of Proposal for a Proposed New Office Building previously approved under 3PL/2016/1060/F , including details to address previously attached Condition No.s 4, 5, 6, 7, 9 & 10		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is a a major as defined by the Council's scheme of delegation.

KEY ISSUES

- Principle of Development
- Contamination
- Fire Hydrant Provision
- Surface Water
- Foul drainage
- Landscaping
- Storage and collection of waste and recyclable materials

DESCRIPTION OF DEVELOPMENT

Retrospective planning permission is sought for the erection of an office building on an industrial-type estate on Turbine Way in Swaffham. If planning permission is granted, this will regularise the current situation, making the built development lawful.

The proposed building measures 30m (length) x 12.3m (width) by 9.4m (height), 6.3m to the lowest eaves point, and provides 696sqm of internal floorspace for B1(a) Office use. Twenty full time and 5 part-time jobs have been created.

The proposal forms two office units across two floors. The site would be accessed through the existing site at the front.

The applicant seeks to agree details in relation contamination, fire hydrants, surface water drainage,

landscaping and waste storage and collections. This would address conditions 4, 5, 6, 7, 8 and 10 of the site's previous planning permission reference 3PL/2016/1060/F.

SITE AND LOCATION

The application site is located within the Swaffham Settlement Boundary and on land designed as a General Employment Area, as defined on the Proposals Map. The site is 3,030sqm (0.303hectares/0.75acres). The site is surrounded by other business units and agricultural land.

EIA REQUIRED

Not required.

RELEVANT SITE HISTORY

3PL/2007/0298/F Permission 23-05-07

Terrace of six two storey business units, new access, & 2 no. two storey blocks of 3 units to rear of site

3PL/2016/1060/F Permission 01-11-16

New Office Building to form two units (Use Class B1(a)) (Part Retrospective)

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 and National Planning Policy Guidance have also been taken into account, where appropriate

DC.01 Protection of Amenity
DC.06 General Employment Areas
DC.16 Design
DC.19 Parking Provision
NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable.

CONSULTATIONS

SWAFFHAM TOWN COUNCIL

No objection

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions.

CONTAMINATED LAND OFFICER

Based on the professional judgement and information provided by Mr Simon Pike of agb Environmental Ltd in his email of the 17 May 2018, it would appear that an adequate scheme to consider land contamination on the above site has been achieved. However, it should be noted that the Council cannot guarantee that the site does not, nor will not in the future, pose a risk with respect to contamination.

TREE AND COUNTRYSIDE CONSULTANT

No comment.

FLOOD & WATER MANAGEMENT TEAM

Falls below threshold for specific comment.

ENVIRONMENTAL HEALTH OFFICERS

No objection.

FACILITIES MANAGEMENT

I confirm that I have no objection to the revised drainage layout. For information, the applicant has been required to enter into a Deed of Easement for the use of the Council's land in connection with the development and the applicant is to ensure that the access road and drainage is provided to an adoptable standard (please see attached Deed of Easement, page 11). Consequently any problems that there might be with future adoption of the road and drainage will have to be resolved by the applicant, and not the Council.

The revised proposals show the addition of a bin store and path, situated beyond the new access road. This feature was not included on the original application plans and is not included in the Deed of Easement referred to above. A site inspection today confirmed that part of the bin store and all of the concrete slab path to it is situated on BDC land without permission from the landowner - please see attached photos. The site boundary is along the concrete edge at the back of the footway. Obviously the bin store and path would prevent any future extension of the road, so is not acceptable to Facilities Management.

ANGLIAN WATER SERVICE

No Comments Received

PRINCIPAL PLANNER MINERAL & WASTE POLICY

No Comments Received

ENVIRONMENTAL SERVICES OFFICER

No Comments Received

NORFOLK FIRE & RESCUE SERVICE

No Comments Received

REPRESENTATIONS

No representations were received.

ASSESSMENT NOTES

The National Planning Policy Framework 2019 (at paragraphs 8) sets out that the planning system as three over arching objections, one of which is to build a strong responsive and competitive economy, supporting growth.

The key issues of consideration are the principle of development, design, impact on amenity and surrounding

area, and Highways impact having regard to Policies DC1, DC7, DC16 and DC19.

1.0 Principle of Development

The site is within the Swaffham Settlement Boundary and allocated as a General Employment Area, as defined on the Proposals Map.

Policy DC6 (General Employments Areas) supports development that is defined as Use Class B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), providing that it:

a) is not a town centre use, unless the location is sequentially preferable and need has been demonstrated; and

b) it will not undermine the function of the wider employment area.

Due to the size, it is unlikely to be accommodated within the town centre and given the character and type of use proposed, and adjacent uses, the proposals would not undermine the function of the wider employment area.

Furthermore, the principle of office development has already been accepted through the granting of planning permission (reference 3PL/2007/0298/F) for office use and development on the land. The proposal is for a single building comprising two units over two floors whereas the previous permission was for two buildings each of three units and the amount of office floor space proposed in this application is no greater than that granted under the previous planning permission. Therefore, the proposal for an office building with associated car parking is considered acceptable in principle and complies with Policy DC6.

2.0 Design

Policy DC16 seeks to ensure the highest standards of design are achieved in all new development.

The proposed office building is to be constructed of the following materials:

- Walls: Grey Euroclad Metal Cladding and Antique Handmade Bricks
- Doors: Grey aluminium
- Windows: Grey Aluminium
- Roof: Grey Ward IP1000 plasticol coated steel composite sheeting
- Vehicle Access: tarmac

The design is in keeping with the surrounding units and thus considered to be in accordance with Policy DC16.

3.0 Impact on Amenity

Policy DC1 seeks to protect the impact on the surrounding amenity.

The location, design and proximity to surrounding buildings is considered acceptable and would not create a detrimental impact to neighbouring units and surrounding areas. The proposal is considered to comply with Policy DC1.

4.0 Highway Impact

Policy DC19 sets out the requirements for car parking. The requirement for this type of development is one space for every 30sqm gross floor area. This would equate to 24 spaces. Thirty three spaces are proposed to be created for this development. This is above the Policy maximum, however, paragraph 106 of the NPPF sets out maximum parking standards should only be set on specific circumstances, and no evidence of these special circumstances are set out by Policy DC19 or its supportive text.

Whilst a separate access for the proposal would have been more appropriate, the Highway Authority has raised no objection to the application proposal (as edged red on the proposed plan) and is satisfied with the access, subject to a condition regarding the proposed access, parking and turning areas to be undertaken prior to the first occupation of the building. This will need to be amended to reflect the the building operational.

5.0 Other Issues

Policy CP9 seeks to ensure that development minimises any unavoidable polluting effects and the development's design should actively seek to minimise or mitigate against all forms of pollution.

The Contaminated Land Officer has considered the supporting information provided by Mr Simon Pike of agb Environmental Ltd. They have advised that it would appear that an adequate scheme to consider land contamination on the above site has been achieved. However, it should be noted that the Council cannot guarantee that the site does not, nor will not in the future, pose a risk with respect to contamination. On this basis, they have advised that condition 4 of 3PL/2016/1060/F can be discharged.

Facilities Management have not objected to the proposed drainage, however, remind the applicant that this should be designed and built to adoptable standards as per their Deed Easement. In respect of the bin store proposals, these encroach on to the Council land which may be needed by the Council in the future. To this end, it is advised that the bin store is conditioned and details to be submitted within 6 months of the issuing of the planning and implemented within 12 months.

Norfolk Fire And Rescue require that a fire hydrant is installed to be capable of delivering a minimum of 20 litres of water per second and that this should be undertaken prior to the commencement of development. Given that the development has commenced without the benefit of planning permission, such a condition cannot be met. As a result, a condition requiring the details to be submitted within three months of the date of the permission is recommended.

6.0 Conclusion

Based upon the above, it is recommended that conditional approval be granted.

RECOMMENDATION

Approval subject to conditions.

CONDITIONS

- 1 In accordance with submitted**
The development must be carried out in strict accordance with the application form, and approved documents and drawings and document as set out below:

Drawing Number 1516/16/100 Rev A, entitled Proposed Site Plan, dated August 2018
Drawing Number 1516/16/50, entitled Proposed Floor Plans & Elevations, dated Aug 2016
Refuse collection information set out in email correspondence dated 14th December 2018

Reason for condition:-

To ensure the satisfactory development of the site.

2

B1a Use Only

The premises shall be used solely for purposes within Class B1a of the Town & Country Planning (Use Classes) Order 2005 (as amended) and shall not be used for any other purpose without the prior consent in writing, of the Local Planning Authority.

Reason for condition:-

In order that the Local Planning Authority may retain control over any future use of the site, in the interest of the vitality and viability of the Town Center of Swaffham.

3

External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

4

Fire Hydrant

Within three months of the date of this permission, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of a fire hydrant on the application site that is capable of delivering a minimum of 20L of water per second in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The approved scheme shall be implemented in full within eight months of the date of this permission.

Reason for condition:-

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

5

Provision of parking and servicing - when shown on plan

Prior to the first occupation of the development hereby permitted, the proposed access / on-site parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

6

Refuse Stores

Within six months of the date of this permission, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of refuse store/s. The approved scheme shall be provided within 12 months from the date of the approval and thereafter retained in perpetuity.

Reason for condition:-

To ensure the satisfactory development of the site and arrangements for the storage and management of waste and refuse.

7

Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.