

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2019/1531/F	CASE OFFICER Mark Simmonds
LOCATION:	THETFORD Former Elm Road Day Centre Elm Road	APPNTYPE: Full POLICY: In Settlemnt Bndry CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	Breckland Council Elizabeth House Walpole Loke	
AGENT:	Daniel Connal Partnership The Glasshouse Kings Lane	
PROPOSAL:	Proposed change of use of existing building from day centre (D1) to provide affordable housing with a combination of dwelling houses (C3 use) comprising 3no. flats and an HMO (Sui Generis) providing further bed spaces along with external alterations and associated works	

REASON FOR COMMITTEE CONSIDERATION

The application is made on behalf of the Council.

KEY ISSUES

Principle of development
Amenity impact
Highway safety
Impact on Ecology
Contamination
Flood Risk
Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the alteration and refurbishment of an existing vacant day centre building to provide dwellings and a house in multiple occupation (HMO). The application includes external alterations and associated works.

The property dates from the 1960s and consist of solid ground floors, cavity walls formed in facing brickwork laid stretcher bond, flat roofs finished with built up felt coverings and a combination of timber, PVCu and metal framed windows. The building is currently in a very poor state of repair and has suffered long term vandalism.

The proposal is for the change of use of the existing building on the site from day centre (D1use) to a combination of dwelling houses (C3 use) and Sui Generis, together with external alterations and associated works. The dwellings (C3 use) will comprise 3No. self-contained flats with their own kitchen and bathroom.

Over and above the three self-contained flats, the proposals would deliver an HMO providing further bed spaces (Sui Generis use). These would be a combination of double and single bed spaces of which each room will be individually occupied and lockable Communal bathrooms/WCs, a separate WC off the Communal Hall and communal kitchens will be provided to ensure there is adequate provision for the occupiers. The designs also incorporate laundry facilities in the entrance foyer.

The designs make use of the existing main entrance and includes a main reception/office for managing staff to use. The property will be fully managed by Breckland Council, or an appointed company on their behalf. Breckland Council will look to reduce the effect on neighbouring residents and will provide their neighbours with a phone number/email to report issues. These will then be recorded in a complaints log and actioned accordingly. The designs include for the retention of the Hall and central courtyard as communal amenity spaces. The HMO and dwellings are aimed at eligible households, who are currently homeless, and whose needs are not met by the current housing market.

SITE AND LOCATION

The building is a former Day Centre and the site is approximately 0.55 hectares. It is located on Elm Road, Thetford and used to be a facility run by Norfolk County Council but has been not been used since 2012. The building has suffered from significant vandalism and the building is damaged and the site has the general appearance of being neglected and overgrown.

To the North and East of the site is residential housing and to the South is Barnham Cross Common. Laburnum Grove Care Home and housing is located to the west of the site.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

No relevant site history.

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM03	Protection of Amenity
COM04	Community Facilities
ENV02	Biodiversity protection and enhancement
ENV05	Protection and Enhancement of the Landscape
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy

GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU06	Principle of New Housing
HOU09	Specialist Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TH39	Thetford Settlement Boundary
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

None applicable.

CONSULTATIONS

THETFORD T C

Thetford Town Council supports this application including the two amendments proposed (landscape plan & visibility splays; change of description).

NORFOLK COUNTY COUNCIL HIGHWAYS

As previously advised the amount of car parking appears excessive for the use proposed, in particular because of the acceptability of the walking and cycling routes to the town centre and retail facilities and proximity of public transport, but I will leave it for you to determine whether the level of parking complies with Policy.

It is noted that the provision now includes an amount of secured and covered cycle parking and the visibility improvements requested. Therefore, if you are minded to grant approval, please include conditions.

HOUSING ENABLING OFFICER

The enabling team has been involved in the Steering Group project from that start of the acquisition, and are satisfied it is an appropriate development to meet an identified need for temporary accommodation in the Thetford area. Accordingly we have no objections.

REPRESENTATIONS

The site notice was erected on site on the 22nd January and a number of consultations served directly on neighbours.

No representations have been received from neighbours and the Town Council have expressed support for the application.

ASSESSMENT NOTES

1.0 Principle of development

1.1 This application seeks full planning permission for the alteration and refurbishment of an existing building to provide dwellings and a house in multiple occupation (HMO) including external alterations and associated works.

1.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises of the Breckland Local Plan (adopted); and any made Neighbourhood Plans. The Government's National Planning Policy Framework (NPPF) is a significant material consideration.

1.3 The Council does have a 5 year housing land supply as required by the National Planning Policy Framework, which provides national planning guidance for local planning authorities and is a strong material consideration in the determination of planning applications.

1.4 Policy GEN 01 of the Breckland Local Plan (adopted) (Sustainable Development in Breckland) seeks to enable development that improves the economic, social and environmental objectives of Breckland through the application of the following national and locally distinctive sustainable development principles. Policy GEN 03 sets out the Settlement Hierarchy for the region, Thetford is classed as a Key Settlement. Policy GEN 05 is supportive of this development in principle:

-Policy GEN 05 Settlement Boundaries

"Within the defined settlement boundaries and the boundary for Attleborough SUE (as shown on the Policies Map) proposals for new development are acceptable, subject to compliance with relevant Development plan policies."

1.5 Thetford was designated as the Key Centre for Development and Change within the former Core Strategy. The town acts as the principal retail, service and employment centre for the south of the District. The Core Strategy's Spatial Portrait described the town as having a good balance of homes and jobs with a well developed market for industrial and distribution property. It has connections to the national rail network and is located on the A11 between Norwich and Cambridge. The spatial strategy of the Local Plan document continues Thetford's role as a key area for growth.

1.6 The Thetford Area Action Plan (TAAP) adopted in July 2012 covered the whole of the Parish of Thetford and parts of the Parishes of Croxton, Brettenham and Kilverstone.

1.7 The TAAP was produced to guide the significant housing and employment growth apportioned to Thetford, primarily delivered through the Thetford Sustainable Urban Extension (SUE). Thetford was appointed growth point status in 2006 and under the TAAP the town will deliver 5000 dwellings, 22ha of employment land and 500 net new jobs. The TAAP was part of the old Local Development Framework (LDF) system; it was intended to be read alongside the adopted Core Strategy.

1.8 Relevant policies from the TAAP will continue to be used alongside the new policies in the Local Plan to help guide growth and development in Thetford. These policies are not superseded by the Local Plan and are listed in paragraph 2.50.

1.9 The proposed site is located inside the settlement boundary of Thetford. Development within settlement

boundaries is supported by policies GEN 03 and HOU 01 of the Breckland Local Plan 2019 (adopted). Therefore, the principle of development is established and appropriate in this location.

1.10 Policy COM 04 of the Breckland Local Plan 2019 (adopted) seeks to protect key services and facilities and states that proposals, including change of use (outside permitted development rights), which result in the loss of local community buildings (most recently used for this purpose where the use has ceased), will not be permitted unless:

- It can be demonstrated that there is no local need for the facility or that its continuing function is no longer viable following appropriate marketing; or
- An equivalent facility in terms of quality is provided to serve the same community in an accessible location.

1.11 The previous function of the site was a day centre and it served only a limited group of the general populace of Thetford at large. The day centre provided care facilities for those assessed as being unable to be fully independent. The use of the Centre was by appointment only and, by its very nature, did not provide a facility for the use of the whole community.

1.12 The submitted information confirms that there is no demand for the retention of this building in its current form. The former day centre is owned by Norfolk County Council but has been closed since 2012 and is no longer required as a facility.

1.13 In addition to the previous use the Thetford Town Council registered the site as a community asset for a period of six months to allow community uses to be put forward. The application states that this period expired at the end of March 2019 and no interest has been recorded in the building as a community asset. It is also worth noting that the Town Council support this proposal.

1.14 Given the amount of time the facility has sat empty and the lack of any interest in the use of the building as a community asset and the proposed benefits of the use, the change of use is considered acceptable. In addition, the applicant has stated that the site has not been used since 2012 and has become overgrown and is a poor state of repair. Due to this the site is now an eyesore through neglect and attracts misuse and vandalism which is a health and safety risk to the public and a danger to anyone entering the site. The proposal will provide specialist housing that is in need in this area and will be of benefit to local people in and around Thetford.

1.15 On the basis of the above assessment, the principle of development is considered to be established.

2.0 Impact on character and appearance of the area.

2.1 Policy GEN 02 requires high quality design in all development within the district which respects and is sensitive to the character of the surrounding area. Policy COM01 requires new development to be designed to the highest possible standards. All new development must achieve a specification of high architectural, urban and landscape design quality and contribute to the distinctive character and amenity of the local area. The Council will promote high quality design in the District by requiring that the design of new development meets specific criteria. Policy HOU 06 sets out the principles of housing and requires the density of development to be at a level which is appropriate and justified for the locality.

2.2 Policy ENV 05 requires development proposals to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including a consideration of individual or groups of natural features such as trees,

hedges and woodland or rivers, streams or other topographical features.

2.3 The application proposes the alteration and refurbishment of existing building to provide dwellings and a house in multiple occupation (HMO) including external alterations and associated works. The site has a gross internal floor space of 942m². This will remain unchanged by the proposed works. The proposals would provide an HMO with GIA of 780m² consisting of bedrooms that provide a combination of double and single bed spaces. The proposed design incorporate communal bathrooms/WCs, a separate WC off the communal hall and communal kitchens. The designs also includes the retention of the main hall as a communal space with an office for staff in one of the adjoining rooms. The design proposal make use of the existing main entrance and includes a main reception/office together with laundry facilities in the entrance foyer. The proposed works will also provide 3 self-contained flats with their own kitchen and bathroom. All major works are internal with very minor changes appearing externally with the replacement of windows and doors and general visual improvements.

2.4 In terms of the design and layout of the scheme which is predominantly internal, it is considered that the proposal makes use of a redundant and deteriorating building and brings it back into use with improvements to it condition and general visual impact.

2.5 Taking all the above into consideration, the proposals are considered to be acceptable and would not be detrimental to the existing character of the area or the setting. Therefore, the proposals comply with Policy HOU 06, GEN 02, COM 01, ENV 05 of the Breckland Local Plan 2019 (adopted) and the NPPF (2019).

3.0 Amenity impact

3.1 Policy COM03 of the Breckland Local Plan (adopted) requires all new development to give consideration to general amenity impact issues, especially living conditions. Development will not be permitted which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants. In assessing the impact of development, especially on the living conditions of occupants, regard will be had to overlooking, overbearing impact/visual dominance, overshadowing, loss of light, odour, noise, vibration or other forms of nuisance and any forms of pollution.

3.2 Given the previous established use the proposed use is unlikely to generate any adverse impacts on neighbouring properties and bringing the building back into use again would have a positive effect on the area. There are sufficient separation distances between neighbouring properties to the north and east therefore, the impact the development would have on the site and its surroundings is considered to fall within acceptable parameters and would likely result in an improvement to the existing situation. There would be no direct adverse effects as a result of loss of privacy, light or overbearing impact. It is concluded that the proposal will maintain an acceptable level of residential amenity for existing residents and future occupants of the site, consistent with Policy COM03 of the Breckland Local Plan 2019 (adopted).

3.3 In conclusion, it is considered that the proposals comply with Policy COM03 of the Breckland Local Plan 2019 (adopted) and Paragraph 127 of The NPPF (2019).

4.0 Highway safety

4.1 Policy TR 01 (Sustainable Transport Network) of the Breckland Local Plan (adopted) seeks to promote a safe, efficient and convenient sustainable transport system. Development should seek to minimise the need to travel, promote opportunities for sustainable transport modes, not adversely impact on the operation or safety of the strategic road network, improve accessibility to services and support the transition to a low carbon future.

4.2 Policy TR 02 (Transport Requirements) of the Breckland Local Plan (adopted) seeks to ensure that developments should be of high quality, sustainable in design, construction and layout as well as offering maximum flexibility in the choice of travel modes for all potential users. Proposals will be permitted that integrate satisfactorily into existing transport networks, mitigate impacts on the local or strategic highway networks arising from the development itself, or the cumulative effects of development, through the provision of, or contributions towards, any relevant transport improvement deemed to be necessary, including those secured by legal agreement, protect, and where possible enhance, access to public rights of way, provide safe, suitable and convenient access for all users, including appropriate parking and servicing provision in terms of amount, design and layout and avoid inappropriate traffic generation and do not compromise highway safety.

4.3 Access is from Elm Road and is existing as it accommodated the previous Day Centre facility. Norfolk County Council as Highways Authority have commented that the amount of car parking appears excessive for the use proposed, in particular because of the acceptability of the walking and cycling routes to the town centre and retail facilities and proximity of public transport. This is noted, however it is not considered to weigh negatively in the planning balance when considering the positive elements of the scheme and the previous use of the site. The Breckland Local Plan 2019 (adopted), sets out parking standards at a minimum of 2 spaces per dwelling and the proposal clearly exceeds this requirement in this instance.

4.5 The Norfolk County Council Highways Officer has been consulted and commented with regard to the above and the parking places and in addition to this recommends conditions should permission be granted.

4.6 In light of the above, the proposals comply with Policy TR 01 and TR 02 of the Breckland Local Plan (adopted), subject to conditions.

6.0 Ecological Impact

6.1 The site is set within the urban fringe of Thetford, but in very close proximity to Barnham Cross Common SSSI and Elm Road, Thetford SSSI as well as other SSSIs and European designated sites. Policy ENV02 seeks to protect and enhance Biodiversity and requires the highest level of protection to be given to European Sites, with development only permitted where the proposal is in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017. Where measures to mitigate for potential adverse effects on European sites are required the proposed mitigation measures must be justified as fit for purpose with appropriate evidence, to inform the Council's Habitats Regulations Assessment. Development likely to have an adverse effect (either directly or indirectly) on a site of national, regional or local biodiversity, or geological interest, as identified on the Policies Map, will not be permitted unless:

6.2 Policy ENV03 - The Brecks Protected Habitats and Species:

- a. it can be clearly demonstrated that there are reasons for the proposal that outweigh the need to safeguard the special ecological / geological interest of the site, and;
- b. it has been demonstrated, where development would result in significant harm, that it cannot be reasonably located on an alternative site that would result in less or no harm, and;
- c. residual harm, after all measures to prevent and adequately mitigate have been applied, will be adequately compensated for.

6.3 The Council requires that a Habitats Regulations Assessment is undertaken on all proposals for development that are likely to have a significant effect on The Breckland Special Protection Area (SPA) which is classified for its populations of Stone Curlew, Woodlark and Nightjar, and/or Breckland Special Area

of Conservation (SAC), which is designated for its heathland habitats. Development will only be permitted where it can be demonstrated that the proposal will not adversely affect the integrity of the SPA or the SAC.

6.4 The Natural Environment Team has been consulted on the submitted Ecological Survey but at the time of writing the report no update can be provided. An update shall be provided orally at the Committee meeting or a supplemental report provided in respect of this and it is considered that conditions can be imposed to mitigate any impacts in terms of roosting bats.

6.5 In light of the above, and subject to the formal response from the Natural Environment team, the proposals comply with Policy ENV 02 of the Breckland Local Plan 2019 (adopted) and the NPPF (2019), subject to the imposition of conditions.

7.0 Contamination

7.1 Paragraph 178 of the NPPF (2019) says that development sites need to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

7.2 Due to the previous use of the site, the proposal is not considered to have any implications with regard to contamination.

8.0 Flood Risk and drainage

8.1 Policy ENV 09 of the Breckland Local Plan (adopted) requires development to be located to minimise the risk of flooding, mitigating any such risk through design and implementing sustainable drainage (SuDS) principles. Also to incorporate appropriate surface water drainage mitigation measures to minimise its own risk of flooding and should not materially increase the flood risk to other areas. Particular care will be required in relation to habitats designated as being of international importance in the area and beyond which are water sensitive, as well as habitats designated of regional or local importance.

8.2 Paragraph 163 of the NPPF (2019) stipulates that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as appropriate) it can be demonstrated that:

- a) 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;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

8.2 The application site is located within Flood Zone 1 and is, therefore, within an area at lowest risk of

flooding from various sources including that from rivers, tidal, reservoir and canal sources. The site is also in a very low risk zone for surface water flooding.

8.3 The majority of the existing site is covered by hardstanding and this proposal presents an opportunity to reduce that with green spaces and permeable surfacing to car parking areas also. The application is not accompanied by any Flood Risk Assessment or drainage strategy but given that there is an opportunity to improve the current situation it is considered that this could be secured by a suitably worded condition and mitigation measures required.

8.4 In conclusion, the proposals are not in an area at risk of flooding from any sources, therefore, compliant with Policy ENV 09 of the Breckland Local Plan (adopted) and paragraph 163 of the NPPF (2019), subject to conditions.

9.0 Affordable Housing

9.1 The Housing Enabling Officer has been consulted and commented as follows:

The enabling team has been involved in the Steering Group project from that start of the acquisition, and are satisfied it is an appropriate development to meet an identified need for temporary accommodation in the Thetford area. Accordingly we have no objections.

9.2 On the basis of the Housing Enabling Officers comments it is considered that the development will meet an identified need and will provide accommodation to those in need in the Thetford area.

10.0 Conclusion

10.1 The principle of development is accepted as the proposed site is within the settlement boundary of Thetford and therefore complies with Policies GEN 03, GEN 05 and HOU 01 of the Breckland Local Plan 2019 (adopted).

10.2 The proposed scheme is acceptable in terms of design and layout and would not be detrimental to the existing character of the area or impact negatively on the amenity of neighbours. Therefore, the proposals comply with Policy HOU 06, GEN 02, COM 01 and ENV 05 of the Breckland Local Plan 2019 (adopted) and paragraph 127 of the NPPF (2019).

RECOMMENDATION

The application is recommended for approval subject to receiving no objection from the Natural Environment Team.

CONDITIONS

- 1 Full Permission Time Limit (3 years)**
The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.

Reason for Condition:-
As required by section 91 of the Town and Country Planning Act 1990.
- 2 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

3 Non-standard highways condition

Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety in accordance with the principles of the NPPF(2019) as well as having regard to Policies TR02 and COM01(m) of the Adopted Local Plan .

4 Non-standard highways condition

Prior to the first occupation of the development hereby permitted the proposed car and cycle 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 areas, in the interests of satisfactory development and highway safety having regard to Policies TR02 and COM01(m) of the Adopted Local Plan.

5 External materials and samples to be approved

Prior to the commencement of any works above slab level details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application. Only such agreed materials shall be used in connection with this approval.

Reason for condition:-

To ensure the satisfactory appearance of the development, in accordance with policies GEN2 and COM01 of the Breckland Local Plan 2019 together with Section 12 of the National Planning Policy Framework 2019.

This condition will require to be discharged

6 Non-standard condition - Ecology

The development shall proceed in accordance with the recommendations outlined in The Preliminary Ecological Appraisal and Bat Roost Assessment by Small Ecology Ltd.

Reason for condition:-

To ensure the development is not detrimental to Protected Species and in order to protect the wildlife value of the site in accordance with Policy ENV 02 and ENV 03 of the Breckland Local Plan 2019 and the National Planning Policy Framework 2019.

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 having regard to Policy COM03 of the adopted Local Plan.

This condition will require to be discharged