

# Public Document Pack



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To The Chairman and Members of the Planning Committee

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Date 08 March 2018

## AGENDA SUPPLEMENT

Dear Sir/Madam

### PLANNING COMMITTEE - MONDAY 12 MARCH 2018

I refer to the agenda for the above-mentioned meeting and enclose the following items:

Item No	Report Title	Page Nos
9.	<b><u>Schedule of Planning Applications</u></b>  To consider the additional information received in relation to the following applications:	
(i)	<b><u>MATTISHALL: Kensington Forge, Dereham Road: Reference: 3PL/2017/1112/F</u></b>	235 - 236
(j)	<b><u>NARBOROUGH: Land North of 1-14 Swaffham Road: Reference: 3PL/2017/1046/0</u></b>	237 - 238
(n)	<b><u>SHIPDHAM: Land to rear of 82 Market Street: 3PL/2017/1464/O</u></b>	239
(o)	<b><u>SHIPDHAM: 27 Market Street: Reference: 3PL/2017/1533/F</u></b>	240
(q)	<b><u>THETFORD: Trox UK Ltd, Caxton Way: Reference: 3PL/2017/1552/F</u></b>	241
(s)	<b><u>WHINBURGH &amp; WESTFIELD: Wesley House, Dereham Road: Reference: 3PL/2017/1495/F</u></b>	242
11.	<b><u>Appeals</u></b>	243

Yours faithfully

*Julie Britton*

Democratic Services Officer

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**Breckland Council, Elizabeth House, Walpole Loke, Dereham, Norfolk NR19 1EE**

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**Item 9 (i) – MATTISHALL (pages 111-123)**

**Location: Kensington Forge, Dereham Road**

**Proposal: Proposed residential development for 12 dwellings**

**REFERENCE: 3PL/2017/1112/F**

**Applicant: Norfolk Land Developments**

**Author: Donna Smith**

**1.0 PARISH COUNCIL COMMENTS**

1.1 Whilst the below comments were included on the supplementary report for the above application in February 2018, they have been provided again below for consistency purposes:

1.2 The Parish Council object to the revised plans for this proposal as the proposed entrance is in a position previously objection to by the highways authority. The Parish Council also wish to raise the issue of the site being far from village amenities and owners needing to use their car to go anywhere. There are concerns that the affordable homes would be adopted by a housing association due to the location. The application breaches policy ENV5 in the recently adopted neighbourhood plan for Mattishall which discusses the need for separation between Mattishall and neighbouring Clint Green.

**2.0 NEIGHBOUR REPRESENTATIONS**

2.1 Representations have been submitted in respect of the update report for the above application published 2<sup>nd</sup> March 2018. Neighbouring residents of Kensington Forge have presented information in relation to the inaccuracy of the documentation produced showing the land within Norfolk County Council's ownership. The neighbouring resident has stated that the boundary of his land is denoted by his low brick wall adjacent to the road.

2.2 In addition, the neighbouring resident has provided Norfolk County Council comments from 2013 in relation to a previous application for this site for 11 dwellings (Ref: 3PL/2013/1005/F), which was consequently withdrawn. Norfolk County Council Highways stated that the junction with Dereham Road proposed under that application did not have sufficient visibility appropriate to a road subject to 40mph. The required level of visibility was considered to be 2.4 x 120m but under the previous scheme there was a shortfall with only 2.4 x 45m to the west and 2.4 x 35m (or 52m across third party land) to the east.

2.3 Following being in receipt of the above comments from the neighbouring residents, the applicant provided confirmation from Norfolk County Council Highways Boundary Team that the visibility splay shown on the application drawings is within highways land. The applicant also stated that in respect of the neighbouring party's comments relating to earlier applications on the site and consultations relating to those applications, such comments should not be relied upon in determining the current application, where the same consultee has made different comments.

### **3.0 ASSESSMENT**

3.1 As detailed in the update report, the currently proposed visibility details 2.0m x 120m visibility splays being provided. The applicant's transport consultant has stated that a vehicle travelling along the Dereham Road from the east has a forward stopping sight distance of in excess of 135m, which the applicant considers is more than sufficient to anticipate if a vehicle emerges from the site access. This would overcome the previous issue in respect of the visibility splays in relation to application Ref: 3PL/2013/1005/F where the visibility splays were considered insufficient. Furthermore, Highways have confirmed that the proposed junction/visibility splays are not materially different to those approved on the previous application and subject to imposing a condition requiring provision of the proposed visibility splays they would not wish to raise an objection.

Highways have confirmed that as per the submitted plan Ref: P216/15/007 Rev A provided by the applicant that the whole of the visibility splay to the east of the site access is contained within the existing highway.

### **4.0 RECOMMENDATION**

4.1 The Highways Authority confirmed on Thursday 8<sup>th</sup> March 2018 that the necessary visibility plays are contained within the existing highway. Consequently officers are satisfied that the condition referenced above can be implemented in association with this development.

4.2 The Highways Authority also confirmed that given the development is of a relatively small scale, in a rural area with no footways, they requested that the wording of condition LS17 be updated to the below to ensure the necessary visibility splays are maintained at all times free from obstruction exceeding 0.600 metres, rather than 0.225m:

*4.3 Prior to the first occupation of the development hereby permitted a visibility splay (as shown on drawing 216-15-006 Rev A) measuring 2.4 x 120m to the east and 2.4m x 83m to the west shall be provided to each side of the access where it meets the highway and such splays shall therefore be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.*

4.4 The recommendation for approval remains unchanged.

**Item 9 (j): NARBOROUGH (pages 124 – 139)**

**Location: 1-14 Swaffham Road, Narborough**

**Proposal: Proposed 6 x No Market sale and 4 x No Affordable dwellings.**

**REFERENCE: 3PL/2017/1046/O**

**Applicant: Mr Stuart and Sam Melton and Outghton C R Melton and Son Fairview Nursery**

**Author: Donna Smith**

**NEIGHBOUR REPRESENTATIONS**

A letter from a local resident has been received objecting to the proposal for the below summarised reasons:

- Overdevelopment
- Pressure on local services including schools and doctors surgeries
- Accessibility to the site – the main road is quite narrow and could be a danger to residents driveways on entering and existing adjacent properties.
- Loss of forestry
- Impact on protected species

**CONSULTATIONS**

Following correspondence with the Public Right Of Way Officer in respect of the amount of funds required for the upgrading of the RB4 PROW which runs parallel to the eastern boundary of the proposed site, the officer has stated that the best way forward would be for the applicant to provide:

- A Link from development to RB4 – 2m wide, tarmac surface to be adopted.
- Improvements to RB4 – 2m wide, 150mm deep compacted crushed planings along the length of the route.

**ASSESSMENT**

Following discussions it was considered that the resurfacing of the public right of way did not meet the tests and was not considered necessary to make the development acceptable or fairly and reasonably related in scale and kind. The applicant has already proposed to extend the 1.5m footpath from the end of the PROW to the existing footway provision to the southern boundary of the site as shown on the submitted plans.

The provision of the link to the southern boundary of the site to connect the existing footway provision to the PROW was considered acceptable by officers.

## **RECOMMENDATION**

The recommendation is unchanged by the further comments. The site is located just outside the service centre of Narborough which has been defined by policy SS1 as a centre which has a good level of local services to accommodate local residents. Given the proposals location close to the service centre of Narborough it was considered the proposal was in a sustainable location and local services could accommodate the proposal for 10 dwellings.

Highways and NCC Ecology have assessed the proposal and have no objections subject to appropriate conditions. Furthermore, in respect of the recently submitted neighbour comment, the forested area to the frontage of the site is to be retained in order to maintain a positive aesthetic to the proposal.

The Council request delegated authority to amend and remove conditions and informatives following any grant of consent.

**Item 9 (n): SHIPDHAM (pages 163 – 172)**

**Location: Land to rear of 82, Market Street Shipdham**

**Proposal: Erection of detached two storey dwelling**

**REFERENCE: 3PL/2017/1464/O**

**Applicant: Brown & Co**

**Author: Fiona Hunter**

**REPRESENTATIONS**

An additional representation was received on 5<sup>th</sup> March 2018. The representation is summarised below:

- The revised access through the applicants land is much better than via the public footpath
- The revised access should also be used for construction traffic with none using the public footpath
- The new access should be used for the existing dwelling The Chapel so there will be no parking on the public footpath

**RECOMMENDATION**

Application continues to be recommended for approval in accordance with the Committee Report.

**Item 9 (o): SHIPDHAM (pages 173-181)**

**Location: Land to the rear of 27 Market Place, Shipdham**

**Proposal: Erection of a new self build residential dwelling on land to the rear of 27 Market Place, Shipdham**

**REFERENCE: 3PL/2017/1533/F**

**Applicant: Mr & Mrs Gamble**

**Author: Natalie Levett**

**REPRESENTATIONS**

An email was received from the Local Ward Member, Cllr Paul Hewett, stating:

*“I have not been asked to speak at the Committee meeting on 12 March, nor have I called this into the Committee. I recognise why it has been called in, but I suspect that the Committee’s time could be well placed elsewhere as the recommendation is for approval and the report adequately addresses any potential concerns or issues about the application itself.*

*For what it is worth, I hope there is little time spent on this and the officer’s recommendation is accepted by the Committee”.*

**Item 9 (g): THETFORD (pages 189-200)**

**Location: Trox UK Ltd, Caxton Way**

**Proposal:** Construction of a new warehouse building with under-croft car parking using existing access from Caxton Way; including new canopy above loading area

**REFERENCE: 3PL/2017/1552/F**

**Applicant: Rees Pryer Architects LLP**

**Author: Fiona Hunter**

**CONSULTATIONS**

Further comments have been received from the Environment Agency on 07/03/2018, recommending removal of condition due to receipt of additional information:

**3920** Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**RECOMMENDATION**

Application continues to be recommended for approval without the above condition.

**Item 9 (s): WHINBURGH & WESTFIELD (pages 207-216)**

**Location: Wesley House, Dereham Road**

**Proposal: Erection of detached two storey dwelling**

**REFERENCE: 3PL/2017/1495/F**

**Applicant: Clayland Architects**

**Author: Fiona Hunter**

**REPRESENTATIONS**

The applicant submitted comments on the Committee Report, raising that application reference 3PL/2005/0432/O was not refused on the 28.11.2015 as written.

**ASSESSMENT**

The applicant is correct. Application reference: 3PL/2005/0432/O was determined on 27/04/2005.

**RECOMMENDATION**

Application continues to be recommended for approval in accordance with the Committee Report.

**APPEALS SUMMARY- FEBRUARY**

**3PL/2016/1189/0**

The Old Pitt, High Street, Whissonsett (Outline application for 4 dwellings)

DISMISSED

The Inspector concluded that the proposed development would have an adverse effect on the setting of the Church of St Mary, a Grade 11\* listed building and that such effect would not be outweighed by the public benefits of the scheme. As such the proposal would conflict with the Framework and the Core Strategy Policy DC17. The Inspector also concluded that the lack of suitable private amenity space for Plots 1 and 4 of the proposal also added weight to the decision to dismiss the appeal.

**3PL/2017/1057/F**

Beckwood, Stacksford, Old Buckenham ( Construction of a one and half storey dwelling)

DISMISSED

The Inspector concluded whilst the proposed development would provide some economic and social benefits consisting of employment during the construction period, some additional use of facilities in the surrounding settlements, the contribution to the housing shortfall and highway improvements. These benefits cumulatively do not significantly and demonstrably outweigh the harm arising from the location of the site in relation to the accessibility to local services and facilities. The appeal was accordingly dismissed.

**3PL/2017/0894/Hou**

6 The Wrens Thetford (repositioning of fence boundary)

ALLOWED

The Inspector noted that although the general character of the estate has a reasonable level of openness, there were several examples of boundary treatments and dwellings abutting the rear of the footpath throughout the estate. The Inspector considered that the proposed relocation of the fence would not be harmful to the openness nor result in a significant or harmful change to the character of the area. Furthermore, the relocated fence would sit in line with the existing hedge located directly to the north which would provide some screening and soften the overall visual impact of the new positioning. For the above reasons, the proposal would not result in undue harm to the character and appearance of the area and it therefore complies with the requirements of Policy DC16 of the Breckland Core Strategy and Development Control Policies Development Plan Document 2009. The appeal was allowed.