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To The Chairman and Members of the
Development Control Committee

All other Members of the Council – for information

Your Ref:

Our Ref: HM/L.3.4

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Date 09 April 2009

AGENDA SUPPLEMENT

Dear Sir/Madam

DEVELOPMENT CONTROL COMMITTEE - MONDAY 20 APRIL 2009

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

Item No	Report Title	Page Nos
7. (a)	<u>Use of Submission Development Control Policies</u> Report of the Strategic Director for Transformation.	70 - 79
9.	<u>Attleborough: Sainsbury's Supermarket: Extension to existing supermarket, reconfiguration of car park/access/egress & demolition of existing Petrol Station for Sainsbury's Supermarket Ltd: 3PL/2009/0089/F & 3PL/2009/0090/CA</u> Report of the Development Services Manager.	80 - 84

Yours faithfully

Helen McAleer

Member Services Officer

**Report of the Strategic Director – Transformation to the
LDF Task & Finish Group – 1st April 2009
Development Control Committee – 20th April 2009**

Use of Submission Development Control Policies

1. Purpose of Report

- 1.1 The purpose of this Report is to inform Members of the weight that can be attributed to the policies contained within the Core Strategy and Development Control Policies DPD in the consideration of planning applications, once the DPD has been submitted to the Secretary of State.

2. Recommendations

It is recommended that the Committee:

- 2.1 Note the contents of the Report

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3.1 Information, Issues and Options

- 3.1.1 On the 12th March 2009 the Council agreed to submit the Core Strategy and Development Control Policies Development Plan Document. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*” Therefore, once adopted the policies contained within the Core Strategy and Development Control Policies document will be the main consideration in the determination of planning applications.
- 3.1.2 Prior to adoption, guidance contained within Planning Policy Statement 1: *The Planning System General Principles* states that the emerging policies in the Core Strategy and Development Control Policies can be treated as ‘material considerations’. The weight that can be attributed to such policies is dependant on their stage of preparation. Planning Policy Statement 1: *The Planning System General Principles* states that limited weight can be applied to policies in an emerging plan, where the plan is at a consultation stage. However, it states that once a plan has been submitted to the Secretary of State, **considerable** weight can be applied to those policies which have not had soundness representations made against them. Additionally the guidance states that where representations have been made against policies, the nature of those representations will need to be considered when determining the weight that can be applied to the policy.
- 3.1.3 Therefore upon submission of the Core Strategy and Development Control Policies to the Secretary of State, some policies within the document will be afforded considerable weight in the determination of planning applications. However, it must be remembered that these policies will not form part of the development plan for the Breckland District until adoption. Until adoption the development plan for the district consists of the saved policies of the Adopted Breckland Local Plan (1999) and the Regional Spatial Strategy for the East of England.
- 3.1.4 As reported to Council on the 12th March 2009, a number of soundness objections were made against the Core Strategy and Development Control Policies. However,

these soundness objections were not made against every policy. The Core Policies and the Spatial Strategy received a large number of soundness objections which fundamentally challenged the principle of policies. It is therefore considered that little weight can be applied to these policies prior to the plan being found sound as a result of Examination in Public. With respect to the Development Control Policies far fewer representations were made that challenged the soundness of the policies. Therefore some of the Development Control Policies can be given weight in the consideration of planning applications following submission. The following parts of this report outline those policies which received either no representations or where the nature of the representations received did not fundamentally challenge the soundness of the policy. For information, the policies in question are reproduced in Appendix A of this report.

Policy DC1 – Amenity

- 3.1.5 The purpose of this policy is to ensure new development does not adversely affect the amenity of residents.
- 3.1.6 Three representations claimed this policy was unsound. However, these representations did not challenge the actual criteria set out in the policy. Therefore regard can be had to the criteria a-f of this policy in the determination of planning applications following submission.

Policy DC3 – Replacement Dwellings and Extensions in the Countryside

- 3.1.7 This Policy aims to control the replacement of dwellings and extensions to dwellings in the countryside to ensure that the availability of smaller properties in the rural areas is protected.
- 3.1.8 The Policy only received one soundness objection from English Heritage. The objection did not challenge the content of the policy but raised concern that the policy failed to identify the criteria for the replacement of historic buildings. However, the purpose of this policy is not to set out wide ranging criteria for the replacement of all buildings. The policy is only intended for the replacement and extension of dwellings. For historic dwellings Policy DC17 which outlines the Council's policy for the replacement of historic buildings will also apply (see paragraphs 3.1.19 and 3.1.20 of this report). Therefore, as the representation does not challenge what the policy seeks to achieve, the policy can be used in the determination of the replacement and extension of non-historic dwellings.

Policy DC9 – Proposals for Town Centre Uses

- 3.1.9 The policy sets out the Council's proposals for dealing with applications for development in town centres.
- 3.1.10 Two representations were made against this policy both of which supported the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications following submission.

Policy DC10 – Telecommunications

- 3.1.11 The policy sets out the conditions where new telecommunications apparatus will be permitted.
- 3.1.12 No representations were made against the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications for telecommunications apparatus following submission.

Policy DC11 - Open Space

- 3.1.13 The policy seeks to protect publically accessible open space and provide new open space through developer contributions.
- 3.1.14 Although a number of representations raised soundness objections to the policy, none objected to the principle of protecting existing open space and requiring developer contributions for new open space. Additionally, none of the representations argued for a lower standard than the one proposed in the policy. Objections were raised against the proposed management arrangements and the

requirement for mobile homes to contribute to open space. Sport England raised objections based on the lack of evidence that supports the proposed standard. However, they were concerned that the standard was too low, not too high. Your officers are currently in discussions with Sport England with a view to reaching a Statement of Common Ground so that this policy can be given weight in the consideration of planning applications prior to adoption.

Policy DC12 – Trees and Landscape

3.1.15 The policy sets out the Council's proposals for the protection and enhancement of the District's natural features.

3.1.16 Two representations were received against the Policy. One supported the Policy and the other questioned whether the Policy was flexible enough. Given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

Policy DC15 – Renewable Energy

3.1.17 The policy sets out the consideration to be applied in the determination of proposals for commercial scale renewable energy developments.

3.1.18 A number of representations were made against the policy, principally regarding the flexibility of the policy. However, as no representations fundamentally challenged the principle of the policy, weight can be given to the policy in the determination of planning applications following submission.

Policy DC17 – Historic Environment

3.1.19 The Policy seeks to protect and enhance the historic environment of the District.

3.1.20 English Heritage supported the policy, however, two representations claim the policy is unsound. One objection is based on the delineation of the Boudicca site in Thetford which does not relate to the principle of the policy. The other objection is based on the fact that the policy fails to realise that some sites of archaeological interest are more important than others. However, given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

Policy DC19 – Community Facilities , Recreation and Leisure

3.1.21 The policy sets out provisions for the protection and enhancement of community, recreation and leisure facilities.

3.1.22 All representations made against the policy supported the principle of the policy. Therefore considerable weight can be attributed to the Policy as a material consideration in the determination of planning applications following submission.

Policy DC23 - Conversion of Buildings in the Countryside

3.1.23 The policy sets out the criteria which will be applied to the assessment of proposals for the conversion of buildings in the countryside.

3.1.24 One representation was made against the Policy which suggested that it was not in conformity with Planning Policy Statement 7. However, the representation did not explain why this was case and related more to considerations of amenity and a site specific concerns relating to a site in Larling. Therefore, given the nature of the objection it is regarded that weight can be attributed to the policy as a material consideration in the determination of planning applications following submission.

3.2 Options

3.2.1 There are no options as the report is for information only

3.3 Reasons for Recommendation(s)

3.3.1 To inform members of the committee the weight that can be attributed to some of the submitted policies of the Core Strategy and Development Control Policies in the determination of planning applications.

4. Risk and Financial Implications

4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report.

4.2 Financial

4.2.1 This report has no direct financial implications.

5. Legal Implications

5.1 This report has no direct legal implications

6. Other Implications

- a) Equalities: - None
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: None

7. Alignment to Council Priorities

7.1 The report is relevant to the following Council priorities:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

8. Ward/Community Affected

8.1 Entire Breckland District

Background Papers

Breckland Core Strategy and Development Control Policies submission document

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Key Decision Status (Executive Decisions only):

This is not a key decision.

Appendices attached to this report:

Appendix A – List of DC Policies Mentioned in Report

Appendix A: List of DC Policies Mentioned in Report

Policy DC 1

Protection of Amenity

For all new development consideration will need to be given to the impact upon amenity. Development will not be permitted where there are unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of the development site. When considering the impact of the development in terms of the amenities of the area and residential amenity, regard will be had to the following issues;

- a. Overlooking and/or privacy loss
- b. Dominance or overshadowing
- c. Odour, noise, vibration or other forms of disturbance
- d. Other forms of pollution (including contaminated land, light pollution or the emission of particulates).
- e. Important features or characteristics of the area; or,
- f. Quality of the landscape or townscape.

Policy DC 3

Replacement Dwellings and Extensions in the Countryside

The replacement of existing dwellings in the countryside will only be permitted where:

- a. The scale of the replacement is not disproportionate to the original dwelling; and
- b. Evidence is provided that the use of the dwelling has not been abandoned; and
- c. The replacement dwelling is located within the existing curtilage, unless it can be demonstrated that an alternative location would be visually less prominent; and
- d. The size and design of the replacement is appropriate to the landscape character of the location; and
- e. There is no increase in the total number of units than the existing.

Extensions to existing dwellings in the countryside will be permitted where the extension does not result in a dwelling that is disproportionate to the scale of the original dwelling and the size and design of the extension are appropriate to the landscape character of the location

Policy DC 9

Proposals for Town Centre Uses

Primary Frontages

Proposals for retail development will be permitted within the primary frontage areas of the town centres. The change of use of ground floor Class A1 units to other Class A uses of the Use Classes Order ⁽⁶⁾ will only be permitted where:

- a. the proportion of other Class A units does not exceed 25% of the total number of units in the frontage;
- b. the number, frontage lengths and distribution of other Class A uses in the frontage does not result in any one over-concentration of non-retail uses detracting from the retail character;
- c. the proposed use will result in regular pedestrian footfall avoiding relative inactivity in the shopping frontage;
- d. the proposal does not prejudice the effective use of upper floors;
- e. the proposal retains or provides a shop front with windows and entrances which relate well to the design of the host building and to the street-scene and its setting.

Secondary Frontages

Proposals for town centre uses at ground floor level within classes A, B1(a), C1, D1 and D2 of Use Classes Order ⁽⁷⁾ will be permitted within the secondary frontage areas of town centres where the proposal, either cumulatively or individually, is considered to have no adverse impact on the vitality and viability of the area.

The change of use of ground floor premises to other uses, including residential, will only be permitted where:

- f. the proportion of non A, B1(a), C1, D1 and D2 units does not exceed 50% of the total frontage;
- g. the proposal does not prejudice the effective use of upper floors;
- h. the proposal would not irreversibly preclude the option to return the property or site to a retail or town centre use;
- i. the proposal retains or provides a shop front with windows and entrances which relate well to the design of the host building and to the street-scene and its setting.

Proposals for residential, leisure and office uses above premises in town centres will be supported in order to help increase the vitality of these areas throughout the day. Development proposals in the defined town centres will also be supported where they represent the best opportunity to bring forward sites identified for redevelopment and improve the town centre environment. Proposals should demonstrate how the outcomes of other studies (such as Town Centre Health Checks and other town centre strategies) have been considered and can maximise benefits to the vitality, viability and environmental quality of town centres in the district.

Policy DC 10

Telecommunications

Planning Applications

When considering planning applications for telecommunications development, regard will be had to the benefits of an effective telecommunications network and the individual nature of telecommunications technology. In addition planning permission will only be granted where in cases where evidence is submitted which demonstrates, to the Council's satisfaction, that:

- i. the possibility of mast or site sharing has been fully explored;
- ii. there are no alternative and preferable sites available in the locality that could reasonable accommodate the proposed telecommunications development, including existing antennae, buildings or structures;
- iii. the proposal is in conformity with the latest national guidelines on radiation protection. This will include consideration for both the individual and cumulative effects of the apparatus having regard to any other significant Electro-Magnetic Field generators in the locality, and;
- iv. there are no significant detrimental impacts upon the residential amenity of neighbours, the character and appearance of the locality, the safe and satisfactory functioning of the highway network or any other objective of the plan.

Prior Approval

Where a code system operator intends to install equipment under permitted development rights that are subject to the prior approval procedure, prior approval by the Planning Authority where there is considered to be an material impact in terms of the equipments siting or appearance. Details of the apparatus will be required in respect of criteria (i) to (iv) as listed above.

Policy DC 11

Open Space

Existing Open Space, Sport and Recreational Facilities

Development that would result in the loss of existing sport, recreational or amenity open space will only be permitted if:

- a. it can be demonstrated (through a local assessment) that there is an excess of recreational or amenity open space in the settlement and the proposed loss will not result in a current or likely shortfall during the plan period; and
- b. recreational facilities within the open space will be enhanced by the proposed development on an appropriate portion of the open space; or
- c. the community would gain greater benefit from the developer providing a suitable alternative recreational or amenity open space in an equally accessible and convenient location. The development of existing open space with an ecological value (a known biodiversity or nature conservation interest) will not be permitted.

Outdoor Playing Space Contributions

All new residential development is expected to provide a contribution towards Outdoor Playing Space equivalent to 2.4 hectares per 1,000 population. For developments of 25 dwellings or more, or on sites of 0.8ha or more, open space should be provided on site, with priority given to children's play space. For developments of fewer than 25 dwellings off site contributions will be required. The 2.4 hectare per 1,000 population standard equates to 24m² of outdoor playing space per person. The 24m² is broken down to 16m² of outdoor sport area and 8m² of children's play space. Outdoor playing space will be required on site at the following levels:

On sites of 25 dwellings and above - Minimum of 1 Local Area for Play (LAP)

On sites of 50 dwellings and above - Minimum of 2 LAPs

On sites of 80 dwellings and above - Minimum of 1 Local Equipped Area for Play (LEAP)

On sites of 200 dwellings and above - Minimum of 2 LEAPs + Outdoor Sport Area

On sites of 400 dwellings and above - Minimum of 1 NEAP + Outdoor Sport Area

Where it is not possible to make on-site provision of outdoor playing space, financial contributions for improvements to local facilities will be required. The level of contribution will be calculated in accordance with the criteria set out in Appendix E 'Open Space Contributions'. For developments of less than 200 dwellings financial contributions for the off-site provision of outdoor sports will be required. For developments of less than 25 dwellings financial contributions for the off-site provision of children's play areas will be required.

In addition to the on-site and off-site contributions, a contribution will be required for 10 years maintenance of the facility. The contribution will be proportional to the type of facility provided and will be calculated in accordance with the criteria set out in the Breckland Open Space Assessment which will be reviewed periodically.

Policy DC 12

Trees and Landscape

Any development that would result in the loss of, or the deterioration in the quality of an important natural feature(s), including protected trees and hedgerows will not normally be permitted. In exceptional circumstances where the benefit of development is considered to outweigh the benefit of preserving natural features, development will be permitted subject to adequate compensatory provision being made. The retention of trees, hedgerows and other natural features *in situ* will always be preferable. Where the loss of such features is unavoidable, replacement provision should be of a commensurate value to that which is lost.

Appropriate landscaping schemes to mitigate against the landscape impact of and complement the design of new development will be required, where appropriate. Conditions and/or planning obligations will be used to secure landscaping schemes and the replacement of trees, hedgerows or other natural features or their protection during the course of development. Where necessary maintenance payments for new landscaping may be sought via planning obligation.

Policy DC 15

Renewable Energy

Proposals for renewable energy development ⁽¹⁰⁾, will be supported in principle. Permission will be granted for these developments unless it, or any related infrastructure such as power lines or access roads etc, has a significant detrimental impact or a cumulative detrimental impact upon:

- a. Sites of international, national or local nature and heritage conservation importance;
- b. Local landscape or townscape;
- c. Local amenity

Where development is permitted, mitigation measures will be required as appropriate to minimise any environmental impacts, such measures will be secured via condition or legal agreement. All development proposals for a renewable energy generation scheme should, as far as is practicable, provide for the site to be reinstated to its former condition should the development cease to be operational

Policy DC 17

Historic Environment

Any development that will affect a Listed Building or a Conservation Area will be subject to comprehensive assessment. New development will be expected to preserve and enhance the character, appearance and setting of Conservation Areas, Scheduled Ancient Monuments, Historic Parks and Gardens and other areas of historic interest. Where a proposed development will affect the character or setting of a Listed Building, particular regard will need to be given to the protection, preservation and enhancement of any features of historic or architectural interest. Sites of archaeological interest and their settings will be protected, enhanced and preserved; development which has an unacceptable impact upon a site of archaeological interest will not be permitted. Where it is considered appropriate in cases where development coincides with the location of a known or suspected archaeological interest an archaeological field evaluation will be required. Where the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains *in situ* satisfactory excavation and recording of remains will be required before development is begun.

Replacement of dwellings

In the case of traditional dwellings⁽¹¹⁾ which positively contribute to the character of Breckland, replacement will only be acceptable where the application is accompanied by a Design & Access Statement which includes a structural survey that demonstrates that the demolition is necessary and that there is no alternative and viable solution of renovation to provide an acceptable standard of accommodation.

Policy DC 19

Community facilities, recreation and leisure

New community facilities, recreation and leisure

Sustainable proposals for community, recreation and leisure facilities will be supported within the Key Centre for Development and Change, the Market Towns and Local Service Centre villages in order to support improved accessibility to services, support the role of the centre in the development hierarchy and reduce rural isolation. Proposals for community, recreation and leisure facilities in other rural settlements will be permitted where it can be demonstrated that it will provide for an identified local need and is of community benefit, the settlement is isolated from another similar facility and the development represents the most sustainable option to meet the identified need.

Protection of key services and facilities

Key local services and facilities will be protected from proposals for development that would result in the loss of that key service or facility. Proposals for the redevelopment of a key local facility will not be permitted unless:

- a. adequate alternative provision is available within or adjacent to the settlement or will be provided as part of the development process;
- b. all reasonable efforts have been made to preserve the facility or service but the service is no longer considered viable;
- c. the service or facility is in an inherently unsustainable location and the reuse of the site would be a more sustainable solution than the retention of the service or facility.

In Local Service Centre villages, development will not be permitted where this would result in the total loss of a key service or facility that would undermine the strategic identification of that village as a Local Service Centre.

Policy DC 23

Conversion of Buildings in the Countryside

The sustainable re-use of appropriately located and constructed buildings in the countryside for economic purposes will be supported. The re-use of existing buildings in the countryside for residential purposes will only be permitted where the commercial use of the building has been shown to be unviable. For the conversion of all buildings in the countryside regard will be had to the following criteria:

- a. The impact of the development on the character and appearance of the landscape and the quality of design. Development will not be permitted where it does not take the opportunity to make a positive contribution to the appearance of the locality.
- b. The sustainability of the location. In the case of conversions for economic purposes this will mean the relationship of the building to other employment areas and its accessibility from residential areas. In the case of residential conversions it will comprise the accessibility of the building to key services and facilities.
- c. Access to the highway and the ability of the highway network to accommodate the demands resulting from the proposed development.
- d. The suitability of the building for conversion, in particular the building should be substantially intact and should be able to be converted without significant extension or rebuilding. In addition, in the case of residential conversions the building proposed to be converted should be of value to the landscape of the district. The residential re-use of modern agricultural or industrial buildings of no aesthetic value, regardless of their locations, will not be considered appropriate.

BRECKLAND COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 20 APRIL 2009

**REPORT OF THE DEVELOPMENT SERVICES MANAGER
(Author: Chris Raine, Senior Development Control Officer)**

**ATTLEBOROUGH: SAINSBURY'S SUPERMARKET: EXTENSION TO
EXISTING SUPERMARKET, RECONFIGURATION OF CAR PARK/
ACCESS/ EGRESS & DEMOLITION OF EXISTING PETROL STATION
REFERENCES: 3PL/2009/0089/F & 3PL/2009/0090/CA
APPLICANT: SAINSBURY'S SUPERMARKET LTD**

Summary: The application seeks full planning permission for extensions to the existing Sainsbury's Supermarket to increase the sales area and back-up areas. The rear extension provides a mezzanine level which provides staff facilities. The car-park, access and internal roadways are to be re-configured and as a consequence the existing petrol-filling station is to be removed from the front of the site.

Given that the front part of the site is within the Attleborough Conservation Area, Conservation Area consent for the demolition of the petrol-filling station is required (3PL/2009/0090/CA).

Introduction

The site is located within the centre of Attleborough and at present consists of the Sainsbury's Supermarket with accompanying customer car parking located to the front of the site, Petrol-filling station to the front of the site and a service yard to the rear. The site is accessed via the High Street which is located to the south-east of the site. There is also a pedestrian access to Wayland Court to the north of the site. To the east of the site is the post office and telephone exchange, to the north are residential units (Wayland Court and Bramley Court) and to the west are residential dwellings (Yew Tree Road). There are preserved trees on the northern perimeter of the site.

Key Issues

1. Impact upon the Conservation Area
2. Highway safety and traffic movements
3. Impact upon Trees
4. Contamination issues
5. Neighbour amenity
6. Demolition/loss of Petrol Filling Station

Planning History

3PL/2007/2033/F - Single storey extension to existing A1 retail store, covered loading bay, amendment to car park and associated works. Approved.

3PL/2007/1640/F - Single storey extension to store, covered unloading bay, amendments to car park and associated works. Approved.

3PL/2007/1983/A - non-illuminated and illuminated signage. Approved.

3PL/2005/1693/A - Internally illuminated ATM wall advert. Approved.

3PL/2003/0111/A - Three free standing illuminated panels. Approved.

Policy Considerations

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

PPS1: Delivering Sustainable Development

PPS6: Planning for Town Centres

PPG15: Planning and the Historic Environment

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

ENG1: Carbon Dioxide Emissions and Energy Performance

Consultations

Council's Contaminated Land Officer - No objection subject to conditions.

Environment Agency - comments awaited.

Highway Authority - comments awaited.

Council's Tree Officer - Confirmation of the method of foundation for the rear extension to be submitted along with details of the surfacing for the driveway and service yard and details of landscaping to be agreed.

Council's Historic Buildings Officer - No objection

Council's Planning Policy Officer - Clarification of how 10% of their energy requirements can be met through renewable energy sources in accordance with Policy ENG1.

Representations

Objections have been received including a petition, the concerns are summarised as follows:

Attleborough WI submitted a signed petition with objections on the grounds of there will only be one petrol filling station left in the town which is on a narrow road. This will result in congestion and manoeuvring problems, on-street parking problems would be exacerbated, the enlarged supermarket could compromise the viability of shops in the town.

Only one petrol-filling station would be left in the town, this will contribute towards traffic related problems, the access path to Waylands Court should not be lost, unclear what boundary treatments will be used on the site frontage as this could impact upon light levels to adjacent premises and impact upon the appearance of the locality, lighting provision is not specified, how will construction and demolition works be controlled, concerns over delivery hours, traffic flow/congestion, detrimental to pedestrian safety, insufficient additional parking would be provided, the current streetscape would be compromised, the proposal could hinder the emergency services, no re-cycling facilities are provided and the loss of the petrol-filling station would be detrimental to the aesthetics of the locality.

Assessment

The application is referred to Development Control Committee as it is a major application.

This application proposes the extension of the existing store with an additional 1,104m² retail floor space, including a mezzanine. The site is located within the town centre and partly within the Conservation Area. In light of the location of the site within the town centre, having regard to the provisions of PPS6, the principal issues for consideration in this instance are ensuring a scale of development that is appropriate to the centre and accessibility of the site by a choice of means of transport.

In respect of securing the appropriate scale of development, it is considered that the floor space increase proposed (1142 sq m) is acceptable given its position within the town centre.

In terms of accessibility, it is noted that the site is within the town centre, local accessibility within the application site itself should be carefully considered. This should include suitable provision for pedestrians to access the store, as well as cyclists. The accompanying travel plan states cycle parking will be provided, however further details of the precise form proposed should be secured through a planning condition.

Policy ENG.1 of the adopted East of England Plan requires developments of over 1,000m² floor space to provide 10% of their energy requirements from decentralised and renewable or low-carbon sources. An accompanying renewable energy and energy efficiency statement has been submitted and a subsequent condition to secure the exact mechanism for securing the use of a suitable decentralised and renewable or low-carbon source is required.

Significant objection has been received with regard to the traffic-flow and highway safety implications of the proposal. With this in mind the Highway Authority are in discussions with the applicant to agree a suitable access arrangement. These discussions are ongoing, however, they have confirmed that it is envisaged that a suitable arrangement will be agreed in the near future. This will be reported verbally to members.

There are TPO trees adjacent to the northern boundary of the site and as such confirmation of the method of surfacing to be used on the relevant part of the driveway and service yard area and the foundation method for the rear extension are to be agreed in conjunction with the tree officer so as to avoid significant harm being caused to the trees. A suitably worded condition will be required to agree these and ensure the trees are protected throughout construction works.

In terms of neighbour amenity, it is considered that the physical implications of the extension with regard to light, outlook and privacy are such that no significant harm would occur by virtue of the separation distances between the proposal and the dwellings coupled with the orientation of the extensions.

The issue of the potential loss of the pedestrian link through Wayland Court has been raised, the applicant has subsequently confirmed that they wish for the link to be retained.

In design terms the extensions are consistent with the existing supermarket in terms of scale, mass and height, with appropriate external materials proposed so as to ensure an effective integration with the current building.

The proposal would also result in the demolition of the existing petrol filling-station which at present is a prominent feature within the streetscene, this also forms part of the Conservation Area. A number of objections have been received which express concern at the loss this would have on the impact upon the Conservation Area. The removal of the filling station and the position of significant parking across the entire High Street frontage immediately adjacent to the public footpath means that it is crucial to secure an appropriate means of integrating the development into the High Street. For this reason negotiations are currently ongoing to secure appropriate screening, landscaping and other measures that will enable the proposal to make a positive contribution to the character and setting of the Conservation Area. However, it should be stressed that in the absence of a suitable scheme for this being secured prior to the Development Control Committee Meeting then the application should be refused as in its current form the site frontage will fail to preserve or enhance the Conservation Area.

Significant concern has been expressed at the loss of the petrol filling station not only on visual grounds as addressed in the previous paragraph but on the loss of it as an important facility within the town. The Local Planning Authority cannot reasonably prevent the closure/demolition on these grounds as part of a planning decision.

Given the proposed demolition of the Petrol filling station, a contamination desk study was commissioned and has been assessed by the Council's Contaminated Land Officer who has confirmed that they have no objections subject to conditions. The views of the Environment Agency are awaited and will be reported verbally.

Recommendation

In conclusion, it is considered that the proposal is consistent with the relevant planning policies subject to the successful completion of negotiations in relation to the treatment of the site frontage and as such the applications are recommended for approval. In the absence of a suitable scheme for the site frontage being secured before the meeting, then the applications will be recommended for refusal.