

Item No.	Applicant	Parish	Reference No.
1	Mrs E Spin	ATTLEBOROUGH	3PL/2010/0427/O
2	Greenshoots Energy Ltd	KENNINGHALL	3PL/2010/0656/F
3	Mr D Angel	WATTON	3PL/2010/0706/O
4	Breckland Council	HARLING	3PL/2010/0731/CA
5	Mr & Mrs Alston	ATTLEBOROUGH	3PL/2010/0780/F

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ITEM	1	REPORT RECOMMENDING REFUSAL
REF NO:	3PL/2010/0427/O	
LOCATION:	ATTLEBOROUGH Land at London Road/New Road	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: N CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mrs E Spin c/o agent	
AGENT:	Mr S Westaway Simon Westaway Associates 46 Connaught Road	
PROPOSAL:	Residential development comprising 80 dwellings, roads, footpaths & 0.55ha open space	

CONSULTATIONS

RECOMMENDATION

Refusal of Outline Planning Permission

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ITEM	2	RECOMMENDATION : REFUSAL
REF NO:	3PL/2010/0656/F	
LOCATION:	KENNINGHALL North Lopham Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Greenshoots Energy Ltd Lyng Farm Garboldisham	
AGENT:	Paul Took Planning Neatherd Road Dereham	
PROPOSAL:	Proposed Biomass Renewable Energy facility	

KEY ISSUES

1. Landscape impact
2. Environmental impact

DESCRIPTION OF DEVELOPMENT

A biomass renewable energy plant is proposed on agricultural land to the south-west of the village of Kenninghall. The proposed development would comprise an anaerobic digestion unit (including 4 fermentation/gas storage vessels), a combined heat and power plant, storage building, underground storage tanks, silage clamps and lagoon. A new access is proposed off the Garboldisham Road. The anaerobic digestion plant would be fuelled by locally grown maize (17,155 tonnes/annum), poultry litter (1,825 tonnes/annum) and cattle slurry (7,825 tonnes/annum) from the applicants' farms. Electricity from the biomass plant would be transferred to the National Grid. There are no current proposals to utilize excess heat produced by the plant. The application is supported by a number of technical documents, including a Design & Access Statement, Landscape Impact Appraisal, Noise Assessment, Flood Risk Assessment and Ecological Survey Report.

SITE AND LOCATION

The application site is located within an area of generally open countryside on the south-western outskirts of the village of Kenninghall. The site falls between the North Lopham and Garboldisham Roads and extends to some 2.8 hectares. The nearest residential property is approximately 250m from the site and the edge of the village some metres distant.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan and those of the Adopted Core Strategy and Development Control Policies Development Plan Document have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development

PPS4: Planning for Sustainable Economic Growth

PPS22: Renewable Energy

PPS23: Planning & Pollution Control

DC1: Amenity

DC15: Renewable Energy

CP11: Landscape Protection

CONSULTATIONS

KENNINGHALL P C

Objection

Comments: The Kenninghall Parish Council object to these plans on the basis of where it is planned to site the plant. Please see accompanying letter and map.

1st September 2010 - See letter attached.

GARBOLDISHAM P C

As Chairman of Garboldisham Parish Council, I am concerned with regard to the application for the building of the Biomass Energy Plant on the number of traffic movements which may ensue. I understand that methane gas is to be produced from the biodegrading of materials such as animal waste and maize. As Garboldisham is on the B1111, the Norfolk County Council preferred distribution route for heavy goods, and the A1066, we are concerned that transportation of the above materials could have a significant impact on lorry movements through our village. I trust that your planning authority will consider our concerns when this application is discussed.

HIGHWAY AUTHORITY - has raised no objection to the application subject to conditions in respect of access construction and visibility splays.

RAMBLERS ASSOCIATION - has raised some concerns about the impact of the new access on existing footpaths.

TREE & COUNTRYSIDE OFFICER - has noted that the site occupies a relatively prominent position within a generally open landscape. The proposed development would have a significant impact on the appearance of the area in the short to medium term, although it is acknowledged that the proposed landscaping scheme would ultimately help to integrate the development into the landscape.

NORFOLK LANDSCAPE ARCHAEOLOGY - has raised no objection subject to a condition requiring an archaeological evaluation.

NORFOLK WILDLIFE TRUST - No comments

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ENVIRONMENT AGENCY - No objection subject to conditions

NATURAL ENGLAND - refers to standing advice. Application site would not appear to support biodiversity features of great significance.

REPRESENTATIONS

The application has given rise to a good deal of public interest. At the time of writing more than 30 representations had been received raising concerns about impact on local amenities, harm to the appearance of the area, increased traffic, pest control, pollution and proximity to the village primary school.

ASSESSMENT NOTES

- * The application is referred to Development Control Committee as it is a Major application.
- * The application site occupies a prominent location within open countryside on the south-western fringe of Kenninghall. The proposed site sits on a plateau edge and at the break of a slope. The surrounding landscape is generally open with scattered woodlands. There are few trees and hedgerows in the immediate vicinity of the site. The proposed development would include a number of substantial structures, most notably the fermentation and digestate storage tanks which would have a vertical wall height of between 6.9 and 7.3 metres (and a roof membrane providing gas storage extending up to between 6.5 and 8 metres above the walls). A landscape scheme is proposed in order to mitigate the visual impact of the development. However, given the exposed nature of the site, it is considered that the proposed planting scheme will take some considerable time to have any significant effect. In the meantime, the proposed development would be a prominent feature in the landscape which would detract from its appearance and character.
- * The proposed development has the potential to impact on local amenity due to noise and smell emissions. An Environmental Permit would be required in connection with the proposed development, which would enable detailed noise and odour controls to be imposed by the Environment Agency. However, it is necessary for the Council to consider the general suitability of the proposed site and the need to direct potentially polluting developments to appropriate locations. The Council's Environmental Health Officer has raised concerns about the adequacy of the information provided with the application in respect of noise and smell issues. The submitted noise report indicates that predicted noise from the operation of the plant would be likely to give rise to complaint unless appropriate attenuation was put in place. It is considered that further information is required to demonstrate the effectiveness of mitigation measures. An odour assessment has not been submitted with the application. Whilst some odour measures are referred to in the application, further assurances, in the form of a comprehensive package of detailed odour control measures, are needed in order to show that the proposal would not cause harm to local amenity.
- * Some concerns have been raised locally about the impact of the proposal on local traffic conditions. However, the Highway Authority has raised no objection to the application. The proposed new access onto the Garboldisham Road would be constructed in accordance with NCC standards, including appropriate visibility splays. Particular account has been taken of the use of local road network by traffic in connection with existing farm operations, some of which would be diverted into the site.
- * The application is recommended for refusal on the grounds of adverse impact on the rural landscape and harm to local amenity.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

RECOMMENDATION Refusal of Planning Permission

REASON(S) FOR REFUSAL

9900 Adverse impact on rural landscape

9900 Harm to local amenity

BRECKLAND COUNCIL

Michael A. Horn, Solicitor,
Head Of Legal Services
Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE
Tel: Dereham (01362) 656873 Fax: Dereham (01362) 696771

NMA

NOTIFICATION OF PLANNING APPLICATION TO PARISH COUNCIL

Name and Address of Applicant	Location of Proposal	Planning Reference No.
Greenshoots Energy Ltd Lyng Farm Garboldisham Diss Norfolk IP22 2FG	KENNINGHALL North Lopham Road	3PL/2010/0656/F

SCANNED
27 JUL 2010
DEVELOPMENT CONTROL

26 JUL 2010
DEVELOPMENT CONTROL

Name and Address of Agent	Description of Proposal
Paul Took Planning Neatherd Road Dereham Norfolk nr20 4ay	Proposed Biomass Renewable Energy facility

The above planning application was received in this Directorate on 16th June 2010.

I shall be pleased to receive any observation your Council may wish to make within 21 days from 2nd July 2010. If the timing of your reply proves difficult, or if you wish to discuss the case please telephone this office.

A copy of the application form and plans of the development are enclosed for your information.

In order that the matter may be dealt with expeditiously, and there is no confusion over the application to which you refer, please use the bottom part of this form to reply.

Please note that should this application need to be determined by the Development Control Committee, a representative of your Council can speak at the meeting if your members consider it necessary.

To
Development Services Manager
Elizabeth House
Walpole Loke
Dereham
Norfolk NR19 1EE

Planning Ref. No. 3PL/2010/0656/F

C

Comments of **KENNINGHALL P C**

Delete as appropriate:

~~** No Objection~~

** Objection

** Comments -

The Kenninghall Parish Council objects to these plans on the basis of where it is planned to site the plant. Please see accompanying letter and map.

BRECKLAND COUNCIL
25 JUL 2010
DEVELOPMENT CONTROL

Kenninghall Parish Council

Chairman's Address:

School House
Market Place
Kenninghall
Norfolk NR16 2AH
Telephone: 01953 887 521
Mobile: 07767360944
Email: stephengordon@gn.apc.org

Development Services Manager
Elizabeth House
Walpole Loke
Dereham
Norfolk NR19 1EE

23 July 2010

**Re: Proposed Biomass Renewable Energy facility
Planning Reference No.: 3PL/2010/0656/F**

Dear DSM

This letter accompanies our response sheet to the above planning application.

On the evening of 21 July Kenninghall Parish Council organised a public meeting in the Village Hall where villagers came to view the applicants' plans and then ask questions of the applicants.

Mr Bob Gooderham of Chestnut Tree Farm and Mr James Alston of Uphall Farm, being partners in the applying organisation Greenshoots Energy Ltd, had agreed to attend the meeting to answer questions.

After an hour of questions, answers and discussion the Parish Council convened in a closed Council meeting to consider its response. Informed by the concerns raised by the public meeting the Parish Council were unanimous in making the following decisions and recommendations

- 1) Kenninghall Parish Council wishes to register a formal objection to the plans as they stand.
- 2) The Council does not object to the project in itself. The project presents a pragmatic synergy of existing local resources and facilities that will benefit the environment. **The Parish Council's objection is based primarily on where the facility is to be situated.**
- 3) **The Council considers the current projected site is too close to the village, and in particular too close to the village primary school that is less than 400 metres distance from it.** The fact the prevailing winds are from the South West means that the School and the village are in a direct line for any potential emissions, odours or noise pollution from the site.
- 4) **The current siting of the project plant on a relatively high site topographically means that the whole complex of buildings, particularly the storage tanks, is unnecessarily over-visible in the**

landscape from virtually all quarters and destroys what is at present a particularly attractive landscape from all sides.

Our recommendation and request

Having studied the plans the Parish Council would like to strongly recommend the plant is sited 400 metres further to the SOUTH WEST of the present location nearer to Uphall Farm and positioned behind the belt of trees clearly shown on the current plans. (see map)

In our view siting the plant there would:

- significantly reduce the risk of noise pollution for the Primary School, the Village and properties along the Lopham Rd and Heath Rd
- significantly reduce the risk of impact from any emissions and/or odours for the Primary School, the Village and properties along the Lopham Rd and Heath Rd
- significantly reduce the visual impact from ALL quarters
- create a more or less straight line of agricultural buildings running from Uphall Farm through the new site to the Oak Tree Farm chicken sheds on the Lopham Rd and to Crown Food Factory beyond it
- cause minimum derangement to the proposed plans apart from a longer cable to the sub-station which would be off-set by a shorter pipeline to the liquid digestate lagoon.

Best Available Technology (BAT)

Further to the above the Council request that Breckland Council ensures that the applicants apply the 'best available technology' in the plant to minimise the risks referred to above.

Section 106

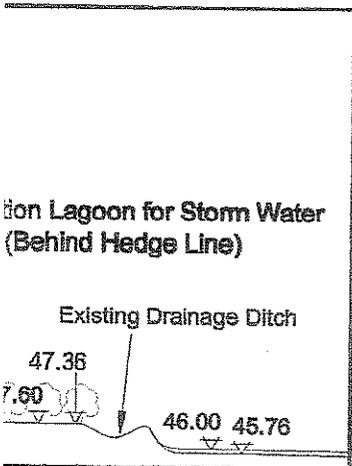
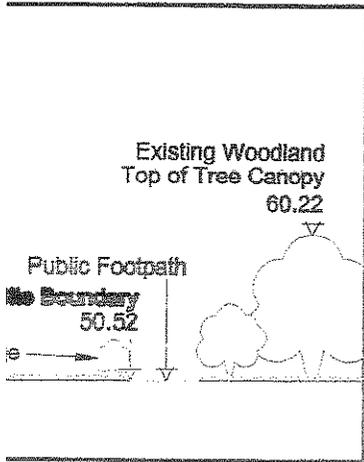
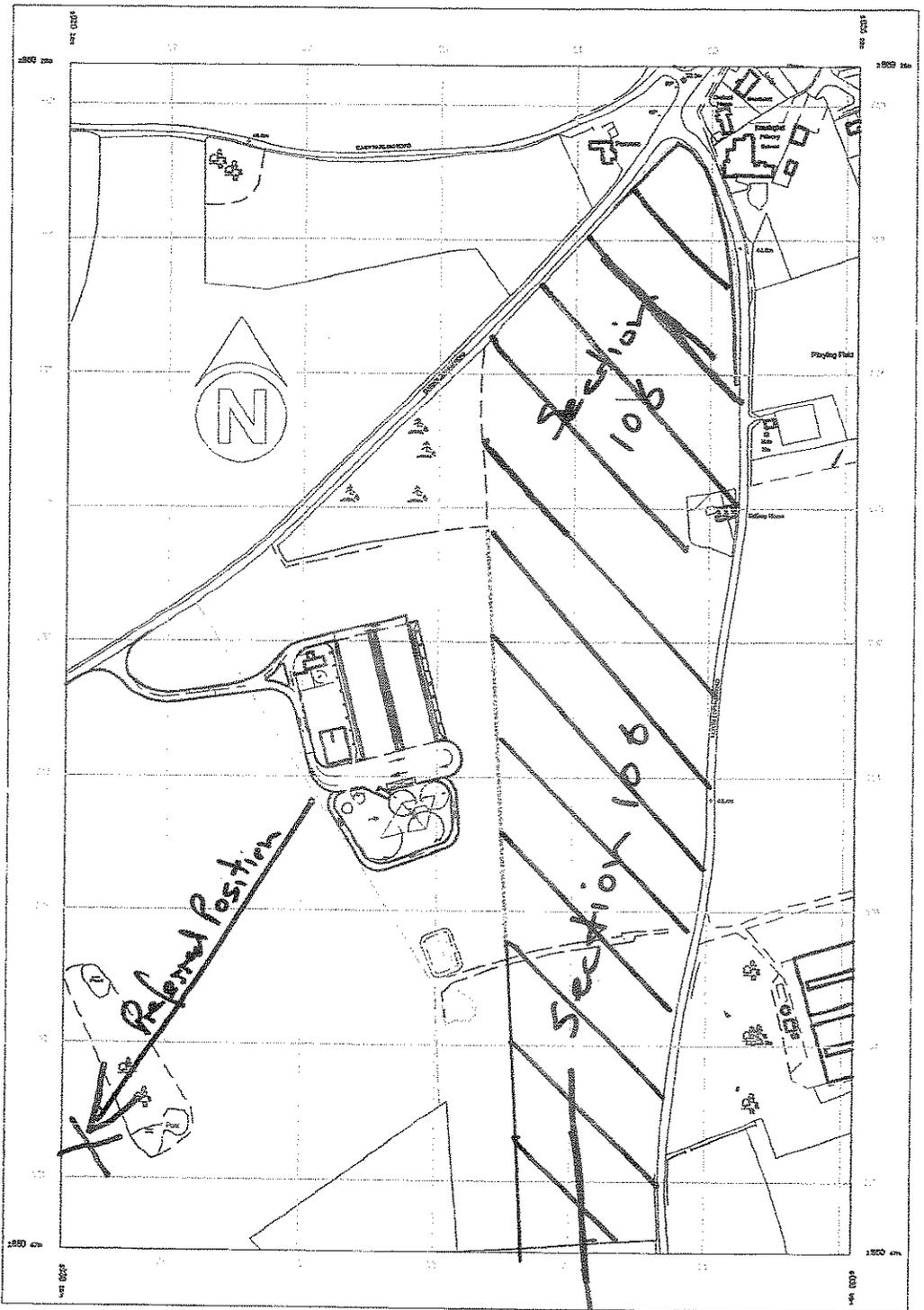
In the light of the fact that the application clearly implies that there may be further developments envisioned by the applicants once the plant is up and running, the Council requests that Section 106 is put on the land that is near the village bounded by the Garboldisham and Lopham Rds and land along the Lopham Rd as far as Heath Rd to prevent any development on it, be it industrial or residential. (see map)

In summary

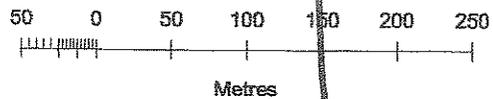
Kenninghall Parish Council requests that Breckland Council reject the plans as they stand and recommends the applicants seriously consider re-siting the project nearer to Uphall Farm where indicated. **If this were to happen the Parish Council would happily endorse the revised application.**

Yours sincerely

Steve Gordon
Chairman
Kenninghall Parish Council



OS Plan (Scale 1:5000)



Heath Rd.

Kenninghall Parish Council

Chairman's Address:
School House Market Place
Kenninghall
Norfolk NR16 2AH
Telephone: 01953 887 521
Mobile: 07767360944
Email: stephengordon@gn.apc.org

Nicholas Moys
Planning Officer
Breckland District Council
Elizabeth House
Walpole Loke
Dereham
Norfolk NR19 1EE

1 September 2010

Re: Proposed Biomass Renewable Energy facility
Planning Reference No.: 3PL/2010/0656/F

Dear Mr Moys

I am writing to you with a number of points we would like clarification on to do with the above planning application. These points have arisen from concerns expressed to me by people in the village as well as more detailed perusal of the application documents.

- 1) Site Address:** Clarification of why the site address is given as North Lopham Road when the site is clearly nearer to, and has access from, the Garboldisham Rd.
- 2) Contractual Contingency:** Given there are two joint applicants, while we do not expect to know the details of the contractual arrangement between them, we do need to be reassured that the legal arrangement between them is one which will give stability in terms of responsibility for the site and its safe maintenance and operation into the future. Should a dispute arise or one pull out how will this be managed?
- 3) Ground water safety:** As pointed out in a communication by the Environment Agency on 25 August AC/2010/112367/01-L01 there is concern over the fact that the site lies over the aquifer that is the main source of Kenninghall's drinking water. Even if the site is moved to the site currently preferred by the Parish Council this matter remains an important concern. Seepage from the large amounts of silage, slurry and litter to be stored on the site are surely a risk factor. The Flood Assessment document does not deal with this matter. Why is there not an assessment report on this? As well as this matter we seek confirmation that the matters to do with foul water and rain water raised by the Environment Agency letter are dealt with to their satisfaction.
- 4) Working Hours:** We seek clarification on the working hours that are described differently in different sections of the application. Given this appears to be a 24/7 52 week a year operation, a 9- 5 Monday to Friday schedule hardly seems realistic.
- 5) No Emissions Assessment Report:** One of the most important concerns for villagers is the fact the project and the village are in a direct line with the prevailing SW wind and that any emissions, odourless or odour-full will be swept toward the village. While the Design and Access report refers briefly to this factor there is no accompanying professional assessment of potential emissions from the plant as there are for other factors such as visual impact and flood risk. Given the concern expressed by villagers we wish to see such an emissions assessment carried out. With a primary school of 100 + pupils just 400 metres downwind this is particularly important.
- 6) Guarantees** The Parish Council seeks a guarantee in the form of a section 106 from the applicants that the three biodigester ingredients outlined in the application will be adhered to and that no other category of animal waste material will be used in the future. Furthermore we seek a section 106 guarantee that the proportions and tonnages of the three materials outlined in the application are adhered to.

7) Transport: having looked at the tonnages of required chicken muck and cattle slurry outlined we have queries over the projected transport movements.

a) In paragraph 3.3 of the Design Statement it states that 7835 tonnes of cattle slurry will be required annually meaning 150 tonnes a week. Firstly, do Uphall Dairy's 200 cattle produce that much slurry a week, particularly at times when they are out on the fields for long periods from Spring to Autumn? If not this would seem to imply the need for slurry to be brought in from elsewhere further afield. If so, from where? We seek clarification on this matter. Secondly 150 tonnes in six trips weekly implies 25 tonnes per vehicle per trip. Is this realistic or are the figures wrong?

b) The figures for the chicken litter seem far more realistic with a weekly tonnage of 29 tonnes being delivered in 3 trips. However, we understand that the nearby chicken sheds in Lopham Rd work on an 8 week cycle and are cleaned out once each cycle. We therefore do not understand how the stated weekly deliveries will take place unless they are bringing chicken litter from farther afield. Furthermore, it is actually stated in the transport summary that just 600 tonnes will come from the chicken sheds on the Lopham Rd so over 1200 tonnes is presumably planned to come from elsewhere. If so, from where? We would like clarification on this matter.

c) The overall maths do not seem to add up. $7835 \text{ slurry} + 17155 \text{ silage} + 1825 \text{ litter} = 26,815 \text{ tonnes total} = 74 \text{ tonnes/day}$ being put into the plant - not 100 tonnes/day as stated in paragraph 3.6.

8) Traffic danger: given where the access road is sited on the plans large farm vehicles turning off and on to the road on dark and/or foggy mornings will be particularly hazardous. This will be particularly so for drivers coming up the sloping left-hand carriage-way from Kenninghall where it is not possible to see oncoming turning farm vehicles until the car is right at the top of the rise beyond the pine grove and right on top of the entrance. Also the Garboldisham Rd is a road along which drivers drive at maximum speed when approaching and leaving the village. The large number of vehicle movements projected for September and October (often foggy) are of particular concern here. **Siting the facility and the access further away from the village will allow much better visibility from both sides.**

9) Fire and Explosion Risk Assessment: given the flammable and potentially explosive nature of the large quantity of gases continually produced and stored by this process we are surprised to see no safety/risk assessment document amongst the reports. We feel the Fire service should be asked for their assessment of risk. The nearest fire station is in East Harling and is only manned voluntarily part-time. Furthermore, surely there should be a health and safety report with respect to the risks to those actually working on the site being close to explosive gases and potentially toxic farm waste?

10) Visual Impact: we feel the visual impact of such a large facility in terms of its breadth and height has been underplayed in the application documents. **We fully expect that the Development Control Committee will make a site visit in order to understand just how much of an impact it will have being placed where it is on a high point of land just outside Kenninghall.**

11) Vermin: given the large amount of highly nutrient maize that will be stored on the site there is a concern that it will attract a significant population of rats that will spill over towards the village, the school and surrounding houses. Here again there is no mention of this as a potential problem or how it will be dealt with. Additionally transport and storage of animal waste raises the issue of flies from which Kenninghall already regularly suffers from surrounding chicken facilities. **Assurances are sought on these matters.**

12) Factual accuracy: we dispute the figures in paragraph 11. The population of Kenninghall is approximately 950 living in 395 houses. These figures are freely available in the Kenninghall Parish Plan 2008.

13) What else is being planned? At the end of paragraph 3.1 of the D & A Statement the following sentences occur: ' There are no arrangements to use all the heat generated by the plant in the short term. For the medium term the viability of other options is being considered for incorporation once the new facility is established in operation. ' Clearly the applicants have some ideas as to what further developments they could undertake to use the heat generated by the plant. We would be interested to know what the various possibilities are that are clearly under consideration and the implications for further development.

14) Costs of moving the site: Within the overall cost of building this facility, moving it further way from the currently proposed site should not be a significant cost factor as has been implied. We understand that interring a 150 mm triplex 11000 kv underground cable across farmland should cost no more than £100 per metre – so e.g. 400metres will cost £ 40,000 much of which would be offset by the shorter pipeline to the liquid digestate lake.

15) Process: The fact that the application was submitted at the beginning of July has caused a deal of concern, suspicion and some difficulty. As it was, the application was provided too late for consideration at the July Parish Council meeting yet we were given the usual 21 days to respond. We were unable to notify the whole village about the public meeting that was nonetheless hastily held through the normal channel of the Parish Magazine because it is not published in August. Overall the whole consultation process has been badly managed with site notices going up far too late and people living near the proposed site not being consulted until very late on in the process. **For this reason we feel the consultation period should be extended.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Gordon', written in a cursive style.

Steve Gordon
Chairman
Kenninghall Parish Council

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ITEM	3	RECOMMENDATION : APPROVAL
REF NO:	3PL/2010/0706/O	
LOCATION:	WATTON Drome Garage Norwich Road	APPN TYPE: Outline POLICY: In Settlemnt Bndry ALLOCATION: P P for Residential CONS AREA: N TPO: Y LB GRADE: N
APPLICANT:	Mr D Angel c/o agent	
AGENT:	Pelorus Planning & Property Lt 1 Collins Way Rash's Green	
PROPOSAL:	Residential development	

KEY ISSUES

1. Policy
2. Local character

DESCRIPTION OF DEVELOPMENT

Outline planning permission is sought for a residential development of 19 dwellings. A new access road onto Norwich Road is proposed. All matters are reserved except access. The application is supported by an indicative site layout, Design & Access Statement, Arboricultural Assessment and a Contamination Desk Study. A draft legal agreement has been prepared providing for affordable housing and recreation contributions.

SITE AND LOCATION

The application site is currently occupied as a filling station and garage. The site is located within a predominantly residential area on the north side of Norwich Road, Watton, approximately 1 km to the east of the town centre.

RELEVANT SITE HISTORY

Planning permission was granted for the development of the site and adjoining land for a total of 67 dwellings in November 2009. The approved development layout proposes 21 dwellings within the current application site area.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

POLICY CONSIDERATIONS

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan and those of the Adopted Core Strategy and Development Control Policies Development Plan Document have been taken into consideration in the determination of this application:

PPS3: Housing

DC1: Amenity

DC2: Housing

DC4: Affordable Housing

DC11: Recreation

DC12: Trees

DC14: Renewable energy

CONSULTATIONS

WATTON TOWN CLERK

No Objection

HIGHWAY AUTHORITY - has raised no objection to the application subject to detailed revisions to the design of the proposed new access and the provision of a new footway.

ENVIRONMENT AGENCY - has raised no objection subject to conditions relating to contamination, foundation design and drainage.

ANGLIAN WATER - has indicated that foul water flows from the development could be accommodated within the existing sewerage system.

NORFOLK POLICE - have raised some concerns about the parking arrangements shown on the indicative site layout plans.

NORFOLK LANDSCAPE ARCHAEOLOGY - has raised no objection subject to a condition requiring an archaeological investigation.

COUNCIL'S ENVIRONMENTAL HEALTH OFFICER - has raised no objection subject to conditions relating to drainage.

COUNCIL'S CONTAMINATED LAND OFFICER - has raised no objection subject to conditions.

COUNCIL'S HOUSING & ENABLING OFFICER - has raised no objection subject to the provision of 40% affordable housing.

PLANNING POLICY OFFICER - has raised no objection subject to compliance with affordable housing and recreation policies.

TREE & COUNTRYSIDE OFFICER - has raised no objection subject to the tree constraints and wildlife interests being incorporated into any subsequent detailed design proposals.

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

REPRESENTATIONS

Letters of representation have been received from local residents raising concerns about local flooding problems.

ASSESSMENT NOTES

- * The application is referred to Development Control Committee as it is a major application.
- * The site is considered to be suitable in principle for residential development. Residential use would be consistent with the established pattern of development in the surrounding area. Planning permission has already been granted for the development of the site for housing in conjunction with adjacent land.
- * Whilst part of the site falls outside the defined Settlement Boundary for Watton, it is considered that the proposal should, nevertheless, benefit from favourable consideration under PPS3, as with the 2008 permission, due to the current housing land supply shortfall. The site is well related physically to the built up area of the town, would have good access to local services and would accord with the overall strategy for the area.
- * Issues raised about detailed layout and design matters can be addressed at reserved matters stage, as the submitted plans are intended only to be indicative.
- * In order to ensure that the development does not exacerbate local flooding problems, it is recommended that any permission granted is subject to conditions including detailed surface water drainage proposals to be agreed with the Council, and a legal agreement relating to recreation and affordable housing.

RECOMMENDATION

Outline Planning Permission

CONDITIONS

- 3004** Outline Time Limit (5 years)
- 3046** In accordance with submitted plans
- 3058** Standard Outline Condition
- 3060** Standard outline landscaping condition
- 3390** Access for archaeologist
- 3740** Any highway conditions
- 3860** Non-standard drainage condition
- 3992** Non-standard note re: S106
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ITEM	4	RECOMMENDATION : APPROVAL
REF NO:	3PL/2010/0731/CA	
LOCATION:	HARLING Grigsons Wood School Lane	APPN TYPE: Conserv.Area Consent
APPLICANT:	Breckland Council Elizabeth House Walpole Loke	POLICY: In Settlemnt Bndry
AGENT:	Daniel Connal Partnership The Glasshouse Kings Lane	ALLOCATION: No Allocation
PROPOSAL:	Part demolition of flint boundary wall and reconstruction	CONS AREA: Y
		TPO: Y
		LB GRADE: N

KEY ISSUES

The impact on the Conservation Area within which the proposal is set

DESCRIPTION OF DEVELOPMENT

This application seeks consent for the partial demolition and reconstruction of a flint boundary wall at Grigsons Wood, East Harling.

Approximately 21.5 metres in length of the wall has already collapsed and it is intended that this, along with a further 16.5 metres of the wall which is considered to be unsafe and will be demolished, be reconstructed to match what is left of the existing wall as closely as is possible

SITE AND LOCATION

The area of wall in question is set along the School Road at East Harling and provides a retaining and boundary defining structure between land owned by Breckland Council (to the east) and land privately owned and within the curtilage of the property known as Acanthus House.

RELEVANT SITE HISTORY

No relevant site history

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

POLICY CONSIDERATIONS

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan and those of the Adopted Core Strategy and Development Control Policies Development Plan Document have been taken into consideration in the determination of this application:-

PPS1: Sustainable Development

PPS5: Planning for the Historic Environment

DC16: Design

DC17: Historic Environment

CONSULTATIONS

HARLING P C

No objection.

TREE & COUNTRYSIDE OFFICER - No objection. Details of required and advisable tree removal adjacent to the wall have been discussed and agreed with the applicant.

HISTORIC BUILDINGS OFFICER - No objection as per discussions with Paul Durrant from Asset Management. Please ensure that conditions are attached regarding materials and sample panels.

REPRESENTATIONS

None

ASSESSMENT NOTES

* This application is referred to Development Control Committee as it involves an area of land which is owned by Breckland Council.

* It is considered that the works are appropriate in terms of design, subject to the imposition of conditions requiring the approval of sample materials and a flintwork panel, and are necessary for reasons of public safety.

* As the site lies within the Conservation Area for East Harling consideration has been given to the effect of the reconstruction of the wall on the Conservation Area and on trees which may be affected by the works. In relation to those issues the Countryside Officer has been in discussions with the applicant and has agreed to the removal of certain trees. Conditions will be attached to the consent in relation to materials and provision of a sample panel to satisfy the Historic Buildings Officer's requirements.

* The application is recommended for approval subject to conditions.

RECOMMENDATION

Conservation Area Consent

CONDITIONS

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

- 3011** Conservation Area Consent - Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3106** External materials and samples to be approved
- 3109** Flint work panel to be approved
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions

BRECKLAND COUNCIL - DEVELOPMENT CONTROL COMMITTEE - 20-09-2010

ITEM	5	RECOMMENDATION : REFUSAL
REF NO:	3PL/2010/0780/F	
LOCATION:	ATTLEBOROUGH Wood Farm Deopham Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs Alston As agent	
AGENT:	Paul Took Planning 60 Neatherd Road Dereham	
PROPOSAL:	Single detached dwelling	

KEY ISSUES

1. Justification for countryside location
2. Impact upon the character and appearance of countryside

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection of a detached two storey dwelling on a parcel of agricultural land.

SITE AND LOCATION

The site forms a parcel of agricultural (grazing) land located to the south of the Deopham Road, Attleborough. The site occupies a relatively isolated location with no adjacent neighbouring dwelling. There are a collection of agricultural buildings to the south-east and a dwelling. The buildings are used in connection with the applicants' business and their parents' farming enterprise and the dwelling is occupied by the applicants' parents.

RELEVANT SITE HISTORY

3PL/2008/0203/O - Single dwelling (outline) - Refused.

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POLICY CONSIDERATIONS

The following National Planning Guidance and/or Saved Policies of the Breckland Local Plan and those of the Adopted Core Strategy and Development Control Policies Development Plan Document have been taken into consideration in the determination of this application:

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS7: Sustainable Development in Rural Areas

CP11: Protection and Enhancement of the Landscape

CP14: Sustainable Rural Communities

DC1: Protection of Amenity

DC2: Principles of New Housing

DC16: Design

CONSULTATIONS

ATTLEBOROUGH TC

Recommended for refusal as follows: Outside the settlement boundary, Incomplete plans - the block plan does not show the existing farmhouse, although the farm outbuildings are shown or a bungalow which the narrative explains will be demolished (where is it?). the building will not be for a use connected with agriculture. Access / highways issues: there is a small track running to the building; there are no services on site. The proposed building is large and would adversely affect the boundary with the road.

HISTORIC BUILDINGS OFFICER - Beside the obvious planning policy implications, I have no comment on the general design submitted.

TREE & COUNTRYSIDE OFFICER - Notwithstanding the policy considerations, the arboricultural implications assessment recommends no dig access surfacing to prevent detriment to adjacent trees. However, no details are proffered indicating how services to the site will be routed - without these it is not possible to arrive at a realistic assessment of the impact on trees.

HIGHWAY AUTHORITY - Concern at poor sustainability credentials of the location, however, this is considered to be an area to be assessed by the LPA. No objection in highway safety terms subject to conditions.

CONTAMINATED LAND OFFICER - No objection.

REPRESENTATIONS

None received.

ASSESSMENT NOTES

* The application is referred to the Development Control Committee at the request of the Ward Representative.

* The site is located outside of any defined Settlement Boundary and as such there is a general policy presumption against new dwellings in such locations unless there is special justification for such a development.

* In this instance, the applicant acknowledges the relevant policy requirements and consequently has put forward a number of reasons in support their application, these are assessed in turn as follows:

- The proposed dwelling represents an innovative design incorporating sustainable building credentials. It is envisaged that the dwelling would achieve at least Code Level 4 of the Code for Sustainable Homes standard. Whilst the dwelling could be considered to be beyond the normal standard of design employed in the majority of dwellings, it in no way achieves the exceptional and ground-breaking standard required by PPS7 which states the following:-

"Very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house may provide this special justification for granting planning permission. Such a design should be truly outstanding and ground-breaking, for example, in its materials, methods of construction or its contribution to protecting or enhancing the environment, so helping raise standards of design more generally in rural areas".

- It has also been suggested that it is not practical to develop such an innovative design on a normal "infill" plot or development site. There is no specific planning reason why a "typical" building plot could not be developed so as to exhibit an innovative design with high "eco" credentials.

- The close proximity of the dwelling to the applicants' parents' home and working farm would allow the applicants to continue to assist with the day to day running and security of the farm and care of their parents. It is considered that this will become increasingly more important over time.

PPS7 Annex A requires proposals for new dwellings linked to agricultural enterprises to satisfy both financial and functional tests in order to demonstrate their appropriateness in planning terms. It is evident that these tests have not been addressed or satisfied within the current submission and as such there is insufficient justification in terms of agricultural need. The personal reasons relating to the need to care for relatives is acknowledged, but is not a sufficiently strong reason to depart from planning policy.

- It is suggested that the dwelling would provide a base and "showhouse" for the applicants' business (FinnGeotherm Ltd) which is concerned with the installation and maintenance of renewable heating products from Scandanavia. Their existing commercial premises are in relatively close proximity to the proposed site and, as such, the new dwelling would also help to provide security and presence close to the commercial premises and farm buildings. It is considered that a showhouse could be provided on a consented residential plot, and, as such, this does not represent a sufficiently strong reason to depart from planning policy. Furthermore, as suggested above, the technologies proposed are not in themselves ground-breaking eg ground source heat pumps; these have been used in existing properties (as indicated on the company website). The applicant indicates there has been thefts from the commercial premises (no detailed evidence provided) and, as such, the dwelling would help to prevent this, however, there is already a dwelling adjacent to the applicants' commercial premises (parents' property) which is closer than the dwelling proposed. In any event the proposed dwelling is not particularly close to the commercial enterprise. For this reason it is not considered that the security benefits of the scheme are sufficiently robust to depart from planning policy.

* In conclusion, it is considered that the reasons put forward to justify the proposal as summarised above neither individually or cumulatively represent a sufficiently strong reason to

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overturn the policy presumption against building a new dwelling in a rural location. It should also be stressed that any benefits gained from a sustainable design and construction are negated by the fact that site is in an unsustainable location.

RECOMMENDATION Refusal of Planning Permission

REASON(S) FOR REFUSAL

- 9900** Fails to meet requirements of PPS7 re quality and design
- 9900** Insufficient agricultural need
- 9900** Unsustainable location