

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2022/1018/F	CASE OFFICER	Lisa ODonovan
LOCATION:	DEREHAM Dereham Coachways, 20 Rashes Green	APPNTYPE:	Full
APPLICANT:	Focus Trovex LLP 15-17 Rashes Green Dereham	POLICY:	In Settlemnt Bndry
AGENT:	Breckland Group Ltd 15-17 Rashes Green Rash's Green	CONS AREA:	N
PROPOSAL:	Construction of replacement industrial unit & offices and new car parking area, following demolition of existing and additional car parking area off site adjacent to 11a Rash's Green		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is brought to Committee as part of the land required to provide the parking area is owned by Breckland Council and is currently in the process of being sold.

KEY ISSUES

Principle
Design and Impact on the character and appearance of the area
Amenity impact
Highway safety
Trees
Ecology
Other issues

DESCRIPTION OF DEVELOPMENT

The application proposes the construction of a replacement industrial unit with offices and new car park area for staff and visitors off site.

The building will comprise of two elements, the main building being taller with a smaller two-storey element to the site frontage.

The proposed building will measure:

12.157m high (highest point)
53m length
35m wide (at its widest point including the smaller frontage section) 25m wide (main building)

SITE AND LOCATION

The Dereham Coachworks site lies to the west of Rash's Green in a defined Employment Area and as such is surrounded by other commercial and industrial uses. Trovex also occupies another building to the south-west of the site.

There is a public footpath (Dereham Footpath 11) to the southern boundary of the site but this is separated by boundary treatment. The site is partially screening by established hedging and trees to the front and south side boundaries and close-boarded fencing.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2018/1523/F - Extension to existing unit - Permission

3PL/2018/1524/F - Erection of two light industrial units - Permission

3PL/2020/0094/F - Erection of 3 industrial units (revised scheme following grant of permission 3PL/2018/1524/F for 2 units) - Permission

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM03	Protection of Amenity
EC03	General Employment Areas
ENV02	Biodiversity protection and enhancement
ENV06	Trees, Hedgerows and Development
ENV09	Flood Risk & Surface Water Drainage
GEN02	Promoting High Quality Design
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

DEREHAM T C

No comments, no objections.

NORFOLK COUNTY COUNCIL HIGHWAYS

Whilst I have no objections in principle the applicant should be made aware that the access which has been used by Persimmon Homes for construction traffic has only been constructed to a temporary standard and that the top surface will need to be replaced with details to be agreed by this Authority.

This response does not give any approval for works to the existing drainage system which would need to be approved by the Lead Local Flood Authority.

Conditions requested.

FLOOD & WATER MANAGEMENT TEAM

Under the threshold to comment.

ANGLIAN WATER SERVICE

No objection received but advice, comments and informative notes provided in respect of: their assets; waste water; used water network; surface water and trade effluent.

CONTAMINATED LAND OFFICER

No objection, subject to condition.

TREE AND COUNTRYSIDE CONSULTANT

Please request a tree survey and arboricultural impact assessment to be undertaken by a suitably qualified arboriculturalist in accordance with BS5837.

ENVIRONMENTAL HEALTH OFFICERS

I have looked at this application and, based on the information provided to me at this time, while I have no objection to the replacement of the industrial unit and office space, there is very little detail in respect of the additional carparking area.

The proposed car parking area is adjacent to residential properties and without further information I am unable to determine whether the proposed parking area would cause environmental concern. Unfortunately, in light of these concerns, I am unable to make any comment until such a time as I receive the following information:

- The transport plan suggests that visitors would be encouraged to use public transport and would be few in numbers and staff numbers are around 15 but the proposed plan for the car park shows 44 spaces. I would like some detail as to how the carpark would be used, whether it would be for the sole use of the business or whether it would be general parking. If the carpark is for the sole use of the business how will this be controlled.
- Will the carpark be used by vehicles other than cars, motorbikes or bicycles I can see no detail of proposed lighting, but the transport plan suggests that the car park will be lit.
- If the carpark is intended to have lighting, I would require a report detailing the lighting scheme and predicted light levels at the neighbouring residential properties.
- The report should include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, spill areas, light times and luminaire profiles).
- Will access to the parking area be restricted outside of working hours and if so how How will the parking

area be controlled to ensure that the adjacent residential properties suffer no loss of amenity.

- Full details of the proposed new fence and whether it is intended to provide any acoustic mitigation between the proposed site and the adjacent residential properties.

NORFOLK COUNTY COUNCIL PUBLIC RIGHTS OF WAY

The Public Right of Way, known as Dereham Footpath 11 is aligned adjacent to the southern boundary of the site. We note that a new security fence is proposed along this boundary and therefore advise the applicant obtain a Highway Boundary plan for that section of the PROW to ensure that the full legal alignment and extent (width) remains open and available.

REPRESENTATIONS

Site notice erected: 23-09-22

Consultations issued: 21st and 22nd September 2022

No representations received.

ASSESSMENT NOTES

1.0 Principle

1.1 The site lies inside the General Employment Area for Dereham where the principle of industrial development is accepted by virtue of Policy EC03 of the Breckland Local Plan (adopted 2019), which seeks to direct employment development to designated employment areas. The application is for the demolition of an existing commercial building and erection of a new building. The plans show that the new building will be 50% storage and distribution with factory storage, processing area and offices. These uses are considered acceptable having due regard to policy EC03 of the Breckland Local Plan (Adopted) and as such it is considered that the proposal is acceptable in principle.

2.0 Impact on the character and appearance of the area

2.1 Policies GEN02 and COM01 of the Local Plan requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

2.2 The character of the area is industrial with a mix of styles of functional buildings and associated hardstanding.

2.3 The proposal seeks a replacement building larger than the previous. Notwithstanding this, the proposed height and overall scale is considered acceptable within the plot, leaving sufficient separation and additional planting between boundaries so as not to appear overly dominant. The height of the building will be as per the applicant's other building to the southern end of Rash's Green.

2.4 A smaller and lower section is proposed to the frontage which breaks the form up, again helping to reduce its bulk. This section will incorporate glazing which will also assist in reducing the overall visual scale of the building.

2.5 The parking area will be constructed as per the existing approved parking area and will be bounded with mesh fencing so as to not create a hard edge.

2.6 In light of the above factors, the proposal is considered to have due regard to Policies COM01 and GEN02 of the Local Plan.

3.0 Amenity impact

3.1 Policy COM03 of the Local Plan seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

3.2 In respect of amenity concerns, the proposed replacement building is considered acceptable. With existing units being an acceptable distance away so as not to be adversely impacted by the replacement unit. A condition will also be proposed in terms of agreeing boundary treatment and landscaping details to help to soften the buildings impact.

3.3 Given the proximity of the new parking area to a new housing estate, which is currently under construction, the Environmental Health Team has requested further detail in respect of this element, namely use, lighting and fence details.

3.4 It has been explained that the parking area will be for use by employees and visitors only and that this will ensure on-road parking is limited. The applicant has also advised that the only lighting proposed is the existing street lighting. A condition will be attached to any approval to ensure that any future lighting needs to be approved prior to installation. In terms of the fencing, this is not an acoustic fence but will be as per the existing fencing already erected following a sister approval, which is black mesh security fencing. Despite this, however the use is not considered to be overly noisy and operated during work hours only.

3.5 In light of this information, the Environmental Health Team have been re-consulted and we are awaiting their comments, however subject to suitable conditions, the amenity impact is considered to be limited, and not sufficient to warrant a refusal in this instance. The proposal is therefore considered in accordance with Policy COM03 of the Local Plan, subject to no negative comments from Environmental Health being received.

4.0 Highway safety

4.1 Policies COM01, TR01 and TR02 of the Local Plan seeks to ensure that all access and safety concerns are resolved in new developments. Paragraphs 110 and 111 of the NPPF are also relevant.

4.2 The existing entrance is proposed for use to access the building with the parking area sited further south providing 32 spaces for Focus Trovex Staff to use. A bike shelter is also proposed within the proposed parking area and within the grounds of the proposed new building.

4.3 Norfolk County Council Highways has raised no objection to the proposal subject to conditions.

4.4 There is a public right of way to the southern boundary of the existing Dereham Coachworks site, the public rights of way team advised that the applicant's should obtain a highway boundary plan to ensure that the new security fencing is not erected on land outside of their ownership. This has been done and the red line adjoins but does not encroach. A note will also be appended to any approval if given.

4.5 In light of the above, the proposal is considered to have due regard to Policies COM01, TR01 and TR02 of the Local Plan.

5.0 Trees

5.1 Policy ENV06 of the Local Plan seeks to preserve the District's trees, hedgerows and other natural features and secure appropriate landscaping schemes to mitigate the impact of, and complement, new development. None of the trees on or near to the site are the subject of a TPO and the site is not part of a Conservation Area.

5.2 There are several established trees and hedgerow adjoining the parking area. It should be noted neither are protected and nor does the site lie within a Conservation Area. Notwithstanding this, a Tree Survey and Arboricultural Impact Assessment/Method Statement/Tree Protection document has been submitted which concludes that the proposed new car parking area can be constructed without the requirement to remove any trees or hedging, a condition will be imposed to ensure that works are carried out in accordance with this detail and that the hedgerow can't be removed without a further application for planning permission.

5.3 On the coachworks site the trees/shrubs to the frontage are not considered to be good quality and a landscaping condition will be imposed to ensure sufficient planting.

5.4 In light of the above, the proposal is considered to have due regard to Policy ENV06 of the Local Plan.

6.0 Ecology

6.1 The application site is currently a predominately hard surfaced area with a row of trees/hedges to the front, side and rear boundaries and an existing building on site. The site is within an employment area, surrounded by industrial buildings, as such it can be safely assumed that there is no notable biodiversity or ecology present. All developments are required to provide a net gain to biodiversity and as such a condition shall be placed upon the grant of planning permission to ensure compliance with policy ENV02 of the Breckland Local Plan (adopted 2019).

7.0 Other issues

7.1 In respect of the culverting, which is now only proposed in the main building site itself and not the parking area, following amendments, an informative note will be added to any permission to advise the applicant that permission from the Water Management Team (Norfolk County Council) will be required before works to the drains can commence.

7.2 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located within the catchment area of the sites as identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and is such it is unlikely to lead to a significant effect as it would not involve a net increase in population in the catchment. The application is for the redevelopment of an existing commercial site for commercial use.

7.3 This application has been screened, using a precautionary approach, as unlikely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. Therefore, the application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

8.0 Conclusion and Planning Balance

8.1 Overall the development will result in investment in an employment area in a sustainable location and is broadly compliant with current planning policy, as set out above. It is therefore recommended for approval with conditions and no objections being received from the Environment Health Team.

RECOMMENDATION

The application is recommended for APPROVAL, subject to conditions and no objections being received from the Environment Health Team.

CONDITIONS

- 1 Full permission 3 year time limit**

The development hereby permitted shall be begun before the expiration of THREE YEARS from the date of this permission.

Reason for condition:- To comply with section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 In accordance with submitted plans NEW 2017**

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

Reason for condition:- To ensure the satisfactory development of the site, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).
- 3 External materials as approved**

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

Reason for condition:- To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policies COM03, GEN02 and COM01 of the Breckland Local Plan (adopted 2019).
- 4 No other use within Use Classes Order**

This planning permission allows use of the building and parking as per the approved plans only (B1(a Office (other than A2)) and c (Light Industrial)) and B8). Other Use Classes including shops, financial and professional services, food and drink, non-residential institutions and assembly and leisure are strictly prohibited.

Reason for condition:- To ensure that no town centre uses can operate from the site having regard to Policy EC03 of the Breckland Local Plan (adopted 2019).
- 5 Acoustic fencing**

Prior to first use of the car park hereby approved, a 1.8 metre high fence consisting of close boarded fence panels with a minimum weight of 10kg/m² and a panel overlap of at least 25mm to be placed along the North, South and Western boundaries of the site, adjacent to the existing domestic properties.

Reason for condition:- In the interest of the amenities of nearby residents in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

6 Vehicular access details (car park)

Car Park

Prior to first use of the development hereby permitted the vehicular access shall be upgraded in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason for condition:- To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

7 Parking/servicing/loading/unloading/turning/waiting areas

Former Dereham Coachways Site

Prior to the first use of the development hereby permitted the proposed parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:- To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

8 Parking and turning area (car park)

Car Park

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

Reason for condition:- To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

9 Prior to first occupation/use - parking of cycles

Both Sites

Prior to first use of the development hereby permitted a scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first used and thereafter retained for this purpose.

Reason for condition:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

10 Visibility splays (Former coachways site)

Former Dereham Coachways Site

Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:- In the interests of highway safety in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

11 Visibility splays (car park)

Car Park

Prior to the first use of the development hereby permitted a 2 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason for condition:- In the interests of highway safety in accordance with Policies COM01, TR01 and TR02 of the Breckland Local Plan (adopted 2019).

12 Unexpected Contamination

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

Reason for condition:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is imposed in accordance with Policy COM03 and Section 15 of the National Planning Policy Framework.

13 Full details of external lighting

Car park site

No external lighting shall be erected unless or until full details have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a lighting plan indicating luminance levels both on the site and beyond, and a schedule of equipment including mounting heights. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:- In the interests of the amenities of the area and local residents and to minimise light pollution in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

14 Car parking area restrictions

The additional car parking area shall be for the sole use of the business and its customers and must be secured outside of working hours to prevent unauthorised access and misuse of the area.

Reason for condition:- In the interest of the amenities of nearby residents in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

15 Retention of trees and hedges

Car park site

No trees or hedges shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with the approved plans and particulars, without the previous written approval of the Local Planning Authority.

Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as agreed in writing with the Local Planning Authority.

Reason for condition:- To ensure that the trees and hedges are retained in the interests of the visual amenities of the area and the satisfactory appearance of the development in accordance with policy ENV06 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

16 Soft landscaping scheme to be submitted

Prior to the commencement of development full details of landscaping, which shall take into account of any existing trees or hedges on the site, shall be submitted to and approved in writing by the Local Planning Authority.

These details should include:

-Planting plans;

-Written specifications (including cultivation and other operations associated with plant and grass establishment);

-Schedules of planting, noting species, plant sizes and proposed numbers/densities where appropriate;

-Implementation programme

The details shall also take account of the Council's leaflet 'Tree pack' (Landscaping advice for applicants) which is available for download on the Council's website. The development shall accord with the approved details.

Reason for condition:- Details are required prior to commencement, in the interests of the satisfactory appearance of the development in accordance with policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

17

Net Gain in Biodiversity

Prior to first use of the building hereby approved, a scheme demonstrating how net gains for biodiversity are being secured as part of the development, shall be submitted to and approved in writing by the Local Planning Authority. This could include bird/bat boxes, swift bricks and hedgehog holes for example. The development shall be carried out in accordance with the approved details, prior to first occupation.

Reason for condition:- To ensure a net gain in biodiversity in accordance with Policy ENV02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

25

Variation of approved plans

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.