

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2022/1406/F	CASE OFFICER	Matthew Blackie
LOCATION:	ROUDHAM/LARLING The Old Mill, Road from Larling To Bridgham Harling Road	APPNTYPE:	Full
APPLICANT:	Crendon Timber Engineering Ltd The Old Mill Road From Larling To Bridgham Harling Road	POLICY:	Out Settlemnt Bndry
AGENT:	Cheffins Planning Clifton House 1 - 2 Clifton Road	CONS AREA:	N
PROPOSAL:	Retention of three 5.2m galvanised steel storage racks to be partially clad in cedar cladding and the installation of two 5.2m high double sided steel storage racks (Part Retrospective)	LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application has been brought to planning committee due to a call-in request from the local ward member and public interest in the application.

KEY ISSUES

Principle of development
Impact on character and appearance of area
Impact on amenity
Impact on Highways
Nutrient Neutrality
Other Matters

DESCRIPTION OF DEVELOPMENT

The application seeks retention of three 5.2m galvanised steel storage racks to be partially clad in cedar cladding and the installation of two 5.2m high double sided steel storage racks (Part Retrospective)

SITE AND LOCATION

The application site is located on land at The Old Mill, Harling Road, Roudham. The site comprises of the existing Crendon Timber Engineering yard comprising of existing workshops, shed, storage areas, and parking areas in association with the production of timber components for the construction industry. The site is outside of any Settlement Boundary and not within a designated General Employment Area. The application site is bordered by a railway line to the north, agricultural land to the east, residential dwellings to the north west and south and highway to the west.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2014/0756/F Permission 07-11-14

Erection of new factory building, demolition/alteration of existing outbuildings and relocation & expand of carpark

3PL/2021/1508/F Permission 17-02-22

Truss Workshop Extension

3PL/2022/0875/F Refusal 12-09-22

Install timber 3 storage racks (Retrospective)

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
EC04	Employment Development Outside General Employment Areas
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN05	Settlement Boundaries
INF03	Local Plan Policy Review
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

ROUDHAM & LARLING P C

It is noted that this is a retrospective application as the applicant has installed racking to a height of 5.2m without gaining prior approval. On behalf of and in support of our local residents and the immediate

neighbours to Crendon Timber Engineering Ltd we object to this application. The racking has been installed close to neighbours' fencing and behind their back gardens causing noise, lighting pollution and distress. We strongly advise that this racking is considerably reduced to 3m taking into account the close proximity to neighbouring houses. We also understand that further racking has been installed not covered by this retrospective application. A further cause for concern is the lighting which is on out of office/business hours and which shines into the neighbouring properties causing further distress both for those with young families and elderly. We do not see any reason for lighting to be on out of hours and feel this has a detrimental effect on not only the residential properties but environment as a whole and represents significant light pollution. We urge Breckland Planning Committee to reject this application.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions

REPRESENTATIONS

Neighbourhood consultation expired 25/01/2023.

Site Notice expired 27/01/2023.

Weekly list expired 27/01/2023.

11 letters of objections received:

- This is a terrible eyesore
- Increase of noise due to the fork lifts which will be working closer to the boundary of the properties
- Should not be allowed to block a person's view
- The rustling from the plastic wrapping can be heard on their racking mid yard from us currently making a very loud rustling noise in the wind, The noise that close from the purposed racking being populated so close to our house will be unbearable
- This will affect house prices
- No consideration is being given to the positioning of this in such close proximity to residents
- This is obstructing the landscape and can be seen by lots of surrounding areas
- There is plenty of space along the Eastern, and North Eastern boundary to accommodate more than enough storage, without impacting residents

ASSESSMENT NOTES

1.0 Principle of Development

1.1. The applicant has applied for part retrospective planning permission for retention of three 5.2m galvanised steel storage racks to be partially clad in cedar cladding and the installation of two 5.2m high double sided steel storage racks within the builders yard, to be used in association with the current business. The business and application site is located outside of any designated General Employment Area.

Policy EC04 relates to employment development outside of general employment areas and permits some employment uses where:

a. It is demonstrated that there are no other suitable sites available on identified or allocated employment sites; and/or

b. There are particular reasons for the development not being located on an established or allocated employment site including:

- 1. The expansion of an existing business;*
 - 2. Businesses that are based on agriculture, forestry or other industry where there are sustainability advantages to being located in close proximity to the market they serve; or*
 - 3. Industries and / or businesses which would be detrimental to local amenity if located in settlements, including general employment areas.*
- c. The development of the site would not adversely affect the type and volume of traffic generated.*

1.2. The proposed works would represent the improvement and expansion of the existing business, and would therefore be in line with Policy EC04 (b.2) of the Breckland Local Plan. With respect to criteria c of policy EC04, the storage racks are located on an existing area historically used for external storage in association with the existing business, and whilst the racking increase the amount of timber storage available at the site, it is not considered to be of sufficient amount to have any significant impacts on the safety and function of the highway network. It is also noted that the applicants advise they require the additional storage provided by the racking as a result of the internal reorganisation of the site and the loss of storage space as they implement permission reference 3PL/2021/1508/F for the erection of a truss workshop extension. Accordingly the development complies with criteria c of policy EC04.

1.3. Overall, the proposed development is considered acceptable regarding principle of development, according with policy EC04 of the Breckland Local Plan (adopted 2019), as well as the National Planning Policy Framework (2021).

2.0 Design and Appearance

2.1 Policies COM01, ENV05 and GEN02 of the Breckland Local Plan (2019) seeks to ensure high quality standard for new developments and to help with protecting the character of the wider area.

2.2. Objections have been received from local residents and the Parish Council over the impact of the height from the racks and the impact it has on the appearance and character of the area. The site holds permitted development rights that allows opportunity to undertake development without the need to apply for planning permission, this includes the erection of a new warehouse building under Schedule 2, Part 7, Class H of the General Permitted Development Order 2015 (as amended). The requirements for Schedule 2, Part 7, Class H are as follow:

Development is not permitted by Class H if

(a) the gross floor space of any new building erected would exceed

- (i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;*
- (ii) in any other case, would exceed 200 square metres;*

(b) the gross floor space of the original building would be exceeded by more than

- (i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);*
- (ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);*
- (iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);*

(c) the height of any part of the new building erected would exceed

- (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;*

(ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;

(d) the height of the building as extended or altered would exceed

(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;

(ii) in all other cases, the height of the building being extended or altered;

(e) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;

(f) the development would lead to a reduction in the space available for the parking or turning of vehicles; or

(g) the development would be within the curtilage of a listed building.

2.3. In summary, the area where the racks are situated has the opportunity for a new building to be erected under permitted development and it has the potential to be on a much larger scale. If the stipulations were to be applied, a building up to 12m in height (the highest building on the site) could be erected and no limitation on the materials used. If a building were to be erected, it is noted the most south easterly rack would be required to be relocated to ensure permitted development could be achieved. It is considered there is a real prospect of such a development coming forward given the clear desire and need demonstrated by the applicant for additional storage.

2.4. The fall back position of permitted development can be a material planning consideration in assessing the proposed impact of the development seeking retrospective permission and installation of two new racks. It is considered a building under permitted development would be more detrimental to the character and appearance of the area including upon the dwellings to the south than the application proposal.

2.5. The existing racks are 5.2m in height and the scale of the racking is significantly reduced compared to what would be permitted under the regulations of the General Permitted Development Order 2015 (as amended). On balance, it is considered the racking is acceptable due to the fall back of the site having the opportunity to erect development that is more excessive in scale within the same part of the site.

2.6. The racks are proposed to be clad in timber cladding on the rear elevation and the proposed cladding will help to reduce the visual impact on the appearance and character of the area. Officers have requested that the sides of the racking are clad to further reduce impact on the appearance and character of the area, the matter is being dealt with by the agent and an update will be provided.

2.7. All the concerns raised by objectors on the height, scale and mass of the racks are noted including the positioning of the racks in relation to neighbouring dwellings to the south boundaries. However, given the fall back permitted development opportunities the site holds and the type of development that could come forward, it is why it is considered on balance the proposed development is acceptable.

2.8 Overall, given the fall back position for permitted development, the proposed development is acceptable regarding design and appearance, according with policies COM01 and GEN02 of the Breckland Local Plan (adopted 2019), as well the National Planning Policy Framework (2021).

3.0 Impact on Amenity

3.1 Policy COM03 of the Breckland Local Plan (2019) seeks to avoid unacceptable effects on the residential amenity of neighbouring occupants, or development which does not provide for adequate levels of amenity for future occupants.

3.2. The 3 retrospective timber storage racks are sited approximately 18 metres away from the rear boundary fences of the adjacent four residential dwellings to the southwest. As explained within the 'Design & Appearance' section, there is a viable fall back position for development under permitted development on a larger scale including a building up to 12m in height. Whilst it is noted the racking is visible from the boundaries of the residential dwellings to the south, the fall back position on permitted development means a more intrusive development could be allowed without planning permission.

3.3. The comments with respect to loss of view and impact on house prices have not been given any weight as these are not material planning considerations.

3.4. Environmental Health were consulted and raised no objections subject to conditions which are to help with restricting noise and lighting impact on the neighbouring residential dwellings. Objectors have raised concern over noise and light pollution but it is considered the conditions imposed should help to alleviate and reduce the existing impact. Notwithstanding that it should be noted that this is an existing lawful commercial site.

3.5. Overall, given the fall back position for permitted development, the proposed development is acceptable regarding impact on amenity, according with policy COM03 of the Breckland Local Plan (adopted 2019), as well the National Planning Policy Framework (2021).

4.0 Impact on Highways

4.1. Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019) seek to promote sustainable transport. Policy TR01 requires development to minimise the need to travel; promote opportunities for sustainable transport modes; not adversely impact on the operation or safety of the strategic road network; improve accessibility to services; and support the transition to a low carbon future. Policy TR02 requires development to integrate into existing transport networks; mitigate highways impacts; protect and enhance access to public rights of way; provide safe, suitable and convenient access for all users, including appropriate parking; and avoid inappropriate traffic generation and do not compromise highway safety.

4.2. The highways officer was consulted as part of the application and raised no objection. The proposal is therefore considered to accord with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

5.0 Nutrient Neutrality

5.1. 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 Regs)). 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 outside of the catchment area of the sites 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. 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. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

6.0 Other Matters

6.1. With regards to impacts on heritage assets, wildlife and nature conservation interests noting the nature, location and scale of development it is not considered that the racking has any impacts on designated or undesignated heritage assets, nor any protected habitat and wildlife sites and nor would there be any significant impact on protected or priority species.

6.2. Policy INF03 of the Breckland Local Plan (adopted 2019), includes a requirement for the Council to undertake a Partial Update of the Plan with regard to housing, non- travelling gypsy and travellers, accessibility of homes standards and economic development by November 2022. On this basis, the Council has carried out a Single Policy Partial Update of Policy INF03. The Partial Update was submitted for Examination on 29 November 2022. The Partial Update of the Local Plan sets out the rationale behind the approach. The Council therefore concludes that it has met the requirement set by Policy INF03 and that the relevant policies within the Development Plan, against which this application has been considered, remain up to date and have been given full weight in the determination of this application.

7.0 Conclusion

7.1. Overall, the application seeks retention of three 5.2m galvanised steel storage racks to be partially clad in cedar cladding and the installation of two 5.2m high double sided steel storage racks (Part Retrospective). The application is acceptable regarding principle of development, design & appearance, impact on amenity, impact on highways, nutrient neutrality and other matters. The application accords with the Breckland Local Plan (adopted 2019) and the National Planning Policy Framework (2021).

7.2. On this basis, the application is recommended for approval, subject to conditions.

RECOMMENDATION

On the basis of the above assessment, the application is recommended for APPROVAL subject to conditions.

CONDITIONS

- 1 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).
- 2 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).
- 3 Non-standard condition**

Vehicles loading and unloading from the racking shall operate using broadband or white

noise reversing alarms only.

Reason for Condition:- In the interest of the amenities of nearby residents, in accordance with Policy COM03 of the Breckland Local Plan (adopted 2019).

4 Non-standard condition

No loading or unloading of timber from the racking shall take place outside the hours of:

- 07:30 17:00 Monday to Friday
- 08:00 12:00 Saturday and
- at no time on Sundays

Reason for Condition:- In the interest of the amenities of nearby residents, in accordance with Policy COM03 of the Breckland Local Plan (adopted 2019).

5 Non-standard condition

The south eastern elevation of the existing row of racks to be clad in 5.2 metre high close boarded timber panels with a minimum weight of 10kg/m² and a panel overlap of at least 25mm.

Reason for Condition:- In the interest of the amenities of nearby residents, in accordance with Policy COM03 of the Breckland Local Plan (adopted 2019).

6 Non-standard condition

All external lighting should be hooded, angled down and directed away from residential properties and installed and maintained in accordance with the manufacturers design.

Reason for Condition:- In the interest of the amenities of nearby residents, in accordance with Policy COM03 of the Breckland Local Plan (adopted 2019).

7 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.